



Fitness to Practise

Regulation and education practitioners in Wales

What is the Education Workforce Council (EWC)?

The Education Workforce Council ('the EWC') is an independent body which regulates education practitioners in Wales in the public interest – your interest.

'Regulation' means the EWC is responsible for ensuring education practitioners are suitable to practise in Wales. Carrying out this work gives you, learners and practitioners protection and confidence in the education professions. Everyone has a right to expect the highest standards of practitioners in the education of learners, particularly children and young people.

How does the EWC regulate?

The EWC regulates by maintaining a Register of Education Practitioners in Wales, and by looking at the detail of a registered person's conduct (behaviour inside or outside of an educational establishment) or competence (ability as an education practitioner) where it comes into question. This might be because the registered person was dismissed from a school, or convicted by a court. Ultimately, the EWC decides whether or not a registered person's conduct or incompetence was so serious that it should affect their registration.

A person cannot be employed as a:

- qualified teacher who carries out the specified work of a teacher in a maintained school or non-maintained special school in Wales*;
- school learning support worker who supports the services set out under Regulation 18A (2), as amended, of the Regulations in a maintained school or non-maintained special school in Wales;
- independent school teacher who provides (or wishes to provide) independent school teacher services in or for an independent school in Wales;
- independent school learning support worker who supports (or wishes to support) the provision of independent school teacher services in or for an independent school in Wales;
- person who provides education in or for a further education institution in Wales (subject to the exclusions set out under Regulation 19)*;
- further education learning support worker who provides the services set out in section 16(2) of the Education (Wales) Act 2014 in or for a further education institution in Wales;
- person who is managing teaching and learning in or for a further education institution in Wales;
- independent special post-16 institution teacher who provides (or wishes to provide) independent special post-16 institution teacher services in or for an independent special post-16 institution in Wales;
- independent special post-16 institution learning support worker who supports (or wishes to support) the provision of independent special post-16 institution teacher services in or for an independent special post-16 institution in Wales;
- work based learning practitioner who provides services for or on behalf of a work-based learning body (other than as a volunteer, and subject to the exclusion set out under Regulation 7(2));
- person who provided further education and training to adults for a community-based adult learning provider*;
- youth worker who provides youth development services for or on behalf of a relevant employer (other than as a volunteer, and subject to the exclusion set out under Regulation 4(2))*; and

- youth support worker who provides youth development services for or on behalf of a relevant employer (other than as a volunteer, and subject to the exclusion set out under Regulation 6(2))*,

unless they are registered with the EWC.

Registration gives an employer and the public reassurance that a registered person has nothing relevant recorded against them which might make them unsuitable to teach learners, in particular, children and young people. It also provides assurance that a school teacher holds Qualified Teacher Status (QTS).

* these registration categories require minimum qualifications.

For more information, visit www.ewc.wales/register

Are there standards education practitioners are expected to meet?

Yes. The EWC has a Code of Professional Conduct and Practice which is a guide to the standards that learners, parents and the public can expect of registered persons, and helps education practitioners understand what others expect of them as professionals.

While 99.9% of registered persons fully comply with the Code, each year a minority of them breach it.

The EWC has legal powers to investigate these breaches and decide whether the education practitioners in question are suitable to remain registered.

The Code does not cover all examples of standards which need to be met by these professionals.

Investigation and hearing

The EWC will consider all breaches of the Code reported to it, but only investigate those where it believes the threshold for 'unacceptable professional conduct', 'serious professional incompetence', or a conviction for 'a relevant offence' might be met.

For example, a dismissal for:

- tampering with examination coursework;
- an inappropriate relationship with a learner;
- assaulting a learner

is more likely to meet the threshold for 'unacceptable professional conduct'.

Only the most serious examples of breaches of the Code will be referred to a public hearing. An outcome might be that the education practitioner's registration is suspended or removed, or a warning is given as to his or her future conduct.

About this leaflet

The information in this leaflet is a brief summary of the EWC's disciplinary procedures.

In all circumstances, *The Education Workforce Council (Main Functions)(Wales) Regulations 2015*, as amended, and the EWC's *Disciplinary Procedures and Rules 2024* take precedence. The Rules and other information about the EWC's regulatory role can be found at www.ewc.wales

No general rules apply when deciding how serious the conduct or competence reported is, and whether or not an education practitioner's registration should be affected.

Key contact

Address **Fitness to Practise Team**, Education Workforce Council, 9th floor, Eastgate House, Newport Road, Cardiff, CF24 0AB

Telephone 029 2046 0099

Email fitnesstopractise@ewc.wales

Registered persons subject to these proceedings may submit forms, documents and make written representations to the EWC, in English or Welsh.