
STATUTORY INSTRUMENTS

1997 No. 2679

EDUCATION, ENGLAND AND WALES

**The Education (Teachers)
(Amendment) (No. 2) Regulations 1997**

Made - - - - *5th November 1997*
Laid before Parliament *10th November 1997*
Coming into force - - *1st December 1997*

In exercise of the powers conferred on the Secretary of State by sections 218(1)(a), (2), (2A), (2B) and (3) and 232(5) and (6) of the Education Reform Act 1988(1) and paragraph 3 of Schedule 1 to the Education Act 1996(2) the Secretary of State for Education and Employment hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (Teachers) (Amendment) (No. 2) Regulations 1997 and shall come into force on 1st December 1997.

(2) Any reference in these Regulations to the principal Regulations is a reference to the Education (Teachers) Regulations 1993(3).

Amendment of the principal Regulations

2. For paragraphs (1) and (2) of regulation 3 of the principal Regulations (schools and institutions to which the principal Regulations apply and interpretation) there shall be substituted the following—

“(1) Except where the context otherwise requires, in these Regulations—

- (a) a reference to a school is a reference to a school maintained by a local education authority, a special school not so maintained, or a grant-maintained school;
- (b) a reference to a further education institution is a reference to an institution, not being a school, which provides further education (whether or not it also provides higher education) and either—

(1) 1988 c. 40; section 218(2A) was inserted by section 14(1) of the Education Act 1994 (c. 30). Section 218(2B) was substituted by the Education Act 1996 (c. 56) Schedule 37, paragraph 76. Sections 218(3) and 232(6) were amended by sections 14(3) and (4) respectively of the Education Act 1994.

(2) 1996 c. 56.

(3) S.I. 1993/543; amended by S.I. 1993/1969, S.I. 1994/222 (which revoked S.I. 1993/1969), S.I. 1995/602, S.I. 1995/2594, S.I. 1996/1603 and S.I. 1997/368 and modified by S.I. 1994/2103, all of which are relevant except S.I. 1995/2594.

- (i) is maintained by a local education authority; or
 - (ii) is within the further education sector;
 - (c) a reference to an institution without qualification is a reference to a further education institution or an institution within the higher education sector;
 - (d) a reference to a worker with children or young persons is a reference to a person, other than a teacher, whose work brings him regularly into contact with persons who have not attained the age of 19 years.
- (2) Except where the context otherwise requires, in these Regulations—
- “authorisation” means an authorisation to teach granted to a person by the Secretary of State or the Teacher Training Agency in accordance with Part II or III of Schedule 2;
 - “BTEC” means the Business and Technology Education Council;
 - “city college” means a city technology college or a city college for the technology of the arts;
 - “company” has the same meaning as in the Companies Act 1985(4);
 - “graduate teacher” means a person to whom an authorisation has been granted in accordance with Part II of Schedule 2;
 - “hearing impaired” means deaf or partially hearing;
 - “higher education” means education provided by any of the following courses—
 - (a) a course for the further training of teachers or youth and community workers;
 - (b) a post-graduate course (including a higher degree course);
 - (c) a first degree course;
 - (d) a course for the Diploma of Higher Education;
 - (e) a course for the BTEC Higher National Diploma or BTEC Higher National Certificate provided by the Edexcel Foundation, or the Diploma in Management Studies;
 - (f) a course for the Certificate in Education;
 - (g) a course in preparation for a National Vocational Qualification at level 4 or 5;
 - (h) a course providing education (whether or not in preparation for an examination) at a standard higher than the standard of courses providing education in preparation for examinations at advanced level for the General Certificate of Education or the examination for the BTEC National Certificate or the BTEC National Diploma provided by the Edexcel Foundation;
 - “pupil referral unit” means a school such as is described in section 19(2) of the Education Act 1996;
 - “qualified teacher” has the meaning assigned thereto by regulation 13 and ‘unqualified teacher’ shall be construed accordingly;
 - “recommending body” means the body that is the organiser of the training given or to be given to the person named in the recommendation;
 - “registered teacher” means a person to whom an authorisation has been granted in accordance with Part III of Schedule 2;
 - “relevant employment” has the meaning assigned thereto by regulation 7;
 - “visually impaired” means blind or partially sighted.”.

(4) 1985 c. 6.

3. Regulation 3A (definition of ‘recommending body’) of the principal Regulations shall be omitted.

4. For Schedule 2 to the principal Regulations there shall be substituted the new Schedule 2 set out in Schedule 1 to these Regulations.

5. For Schedule 3 to the principal Regulations there shall be substituted the new Schedule 3 set out in Schedule 2 to these Regulations.

Transitional provisions in respect of licensed, overseas trained and registered teachers

6.—(1) The principal Regulations shall continue to apply as if these Regulations had not been made for the purposes of—

- (a) permitting the employment as a teacher at a school of an unqualified teacher who was a licensed teacher or an overseas trained teacher as therein defined on 30th November 1997, and duties imposed on persons in connection therewith shall continue to apply;
- (b) determining whether a person, who on or at any time before 30th November 1997 was a licensed teacher, overseas trained teacher or registered teacher as therein defined, is a qualified teacher.

(2) For the purposes of paragraph 3 of Schedule 2 to the principal Regulations as substituted by these Regulations, the references to a graduate teacher or a registered teacher include a reference to a licensed teacher or an overseas trained teacher as defined in the principal Regulations before these Regulations were made.

Revocations

7. The Regulations listed in Schedule 3 to these Regulations are revoked to the extent specified therein.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 4.

“SCHEDULE 2

Regulation 13

Cases and Circumstances in which unqualified teachers may be employed at schools

PART 1

GENERAL

Existing unqualified teachers in nursery classes and at nursery schools

1.—(1) This paragraph shall apply in the case of an unqualified teacher whose employment as an assistant teacher at a nursery school or as a teacher of a nursery class was permitted by paragraph 4 of Schedule 4 to the 1982 Regulations and who was so employed immediately before 1st September 1989.

(2) Such a teacher may continue to be employed as he was employed immediately before 1st September 1989.

Student teachers

2.—(1) This paragraph shall apply in the case of an unqualified teacher over the age of 18 years who either—

- (a) having been accepted for admission to a course of initial training for teachers in schools at an accredited institution in England or Wales, is awaiting admission to that course, or
- (b) having been admitted to such a course, has failed satisfactorily to complete it by the date of the end of the period ordinarily required therefor but, during the year next following that date, is continuing the course with a view to so completing it within that year.

(2) Such a teacher may be employed as a teacher at a school (other than a pupil referral unit) so, however, that—

- (a) the aggregate period for which he has been employed by virtue of this paragraph or paragraph 2(2) of Schedule 3 to the 1989 Regulations, by one or more authorities or bodies, does not exceed 2 years or such longer period, if any, as is approved in his case by the Secretary of State, and
 - (b) he is required neither to take responsibility for a class nor to teach a subject which is not also taught by a qualified teacher at the school.
- (3) In this paragraph, ‘accredited institution’ has the same meaning as paragraph 3 of Schedule 3.

Instructors with special qualifications or experience

3.—(1) This paragraph shall apply in the case of an unqualified teacher appointed, or proposed to be appointed, to give instruction in any art or skill or in any subject or group of subjects (including any form of vocational training) the teaching of which requires special qualifications or experience if, at the time of his appointment—

- (a) the local education authority (in the case of a special school maintained by a local education authority, a county, controlled, aided or special agreement school which has no delegated budget or a pupil referral unit), the governing body acting with the consent of the local education authority (in the case of such a school which has a delegated budget) or the governing body (in the case of a grant-maintained school or a special school not

maintained by a local education authority) are satisfied as to his qualifications or, as the case may be, experience, and

- (b) no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

(2) Such a teacher may be employed at a school to give such instruction as aforesaid, subject to paragraph (3), for such period as no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

(3) In the case of such a teacher appointed before 8th April 1982, paragraph (2) shall have effect as if the words ‘subject to paragraph (3)’ to the end were omitted—

- (a) where his appointment was for a specified period, if and so long as that period has not expired, or
- (b) where his appointment was for an unspecified period, if it was not otherwise expressed to be temporary only.

Temporary teachers

4.—(1) Subject to sub-paragraph (2), an unqualified teacher may be employed at a school (other than a pupil referral unit) if—

- (a) he has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country, and
- (b) he is employed in any one post at a school (whether by reason of the absence of the holder of that post or otherwise) for periods which do not exceed four months in total.

(2) This paragraph shall not apply in the case of an unqualified teacher after the expiry of a period of two years commencing with the day on which he is first employed as a teacher at a school.

PART II

GRADUATE TEACHERS

5.—(1) This paragraph shall apply to a person who is not a qualified teacher but who has been granted an authorisation to teach in accordance with this Part of this Schedule.

(2) Subject to the provisions of this Part of this Schedule, such a person may be employed as a teacher at a school, except a pupil referral unit.

6.—(1) Paragraphs 7 to 12 apply in respect of an authorisation granted on the recommendation of a recommending body situated in England and for these purposes a recommending body is situated in England if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated.

(2) Paragraphs 13 to 18 apply in respect of an authorisation granted on the recommendation of a recommending body situated in Wales and for these purposes a recommending body is situated in Wales if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated.

Provisions applying in respect of an authorisation granted on the recommendation of a recommending body in England

7.—(1) On the recommendation of the recommending body, the Teacher Training Agency may grant an authorisation to teach to the person named in that recommendation.

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(2) A recommendation for an authorisation shall contain such particulars as the Teacher Training Agency may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation—

- (a) is in its opinion a suitable person to be a teacher at a school;
- (b) holds a first degree or equivalent qualification granted by an educational institution in England or Wales, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (e)
 - (i) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a graduate teacher, or
 - (ii) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country.

(4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and of the length of the proposed period of training.

(5) It shall contain particulars of the school or schools at which the person named in the application is to be or may be employed (which may not, in accordance with paragraph 5(2), include a pupil referral unit).

(6) It shall contain the name of the institution or body who will be the person's employer.

8. The length of the proposed period of training shall be appropriate to the person's need for practical teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than three months and not more than one year.

9. Where the recommending body have submitted a recommendation to the Teacher Training Agency, the person named in that recommendation may be provisionally employed as a graduate teacher at the school or schools specified in the recommendation until 14 days after the Teacher Training Agency have notified the recommending body of their decision whether or not to grant the authorisation.

10.—(1) Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.

(2) An authorisation shall lapse in any of the following circumstances—

- (a) if the graduate teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools;
- (b) if the graduate teacher ceases to be employed by the institution or body named in the recommendation except—
 - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or

- (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

11. The recommending body shall cause the graduate teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 7(4).

12. Where an authorisation lapses by virtue of paragraph 10(2) the recommending body shall report the facts of the case to the Teacher Training Agency.

Provisions applying in respect of an authorisation granted on the recommendation of a recommending body in Wales

13.—(1) On the recommendation of the recommending body, the Secretary of State may grant an authorisation to teach to the person named in that recommendation.

(2) A recommendation for an authorisation shall contain such particulars as the Secretary of State may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation—

- (a) is in its opinion a suitable person to be a teacher at a school;
- (b) holds a first degree or equivalent qualification granted by an educational institution in England or Wales, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (e)
 - (i) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a graduate teacher, or
 - (ii) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country.

(4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and of the length of the proposed period of training.

(5) It shall contain particulars of the school or schools at which the person named in the application is to be or may be employed (which may not, in accordance with paragraph 5(2), include a pupil referral unit).

(6) It shall contain the name of the institution or body who will be the person's employer.

14. The length of the proposed period of training shall be appropriate to the person's need for practical teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than three months and not more than one year.

15. Where the recommending body have submitted a recommendation to the Secretary of State, the person named in that recommendation may be provisionally employed as a graduate teacher at the school or schools specified in the recommendation until 14 days after the Secretary of State has notified the recommending body of his decision whether or not to grant the authorisation.

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16.—(1) Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.

(2) An authorisation shall lapse in any of the following circumstances—

- (a) if the graduate teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools;
- (b) if the graduate teacher ceases to be employed by the institution or body named in the recommendation except—
 - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or
 - (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

17. The recommending body shall cause the graduate teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 13(4).

18. Where an authorisation lapses by virtue of paragraph 16(2) the recommending body shall report the facts of the case to the Secretary of State.

PART III

REGISTERED TEACHERS

19.—(1) This paragraph shall apply to a person who is not a qualified teacher but who has been granted an authorisation to teach in accordance with this Part of this Schedule.

(2) Subject to the provisions of this Part of this Schedule, such a person may be employed as a teacher at a school, except a pupil referral unit.

20.—(1) Paragraphs 21 to 26 apply in respect of an authorisation granted on the recommendation of a recommending body situated in England and for these purposes a recommending body is situated in England if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated.

(2) Paragraphs 27 to 32 apply in respect of an authorisation granted on the recommendation of a recommending body situated in Wales and for these purposes a recommending body is situated in Wales if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated.

Provisions applying in respect of an authorisation granted on the recommendation of a recommending body in England

21.—(1) On the recommendation of the recommending body, the Teacher Training Agency may grant an authorisation to teach to the person named in that recommendation.

(2) A recommendation for an authorisation shall contain such particulars as the Teacher Training Agency may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation—

- (a) is in its opinion a suitable person to be a teacher at a school;

- (b) (i) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country, or
 - (ii) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a registered teacher and has successfully completed—
 - (aa) not less than two years' full-time higher education in England or Wales, or
 - (bb) comparable education either full-time or part-time whether in England or Wales or elsewhere;
 - (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
 - (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
 - (e) has been accepted onto a programme of study leading to the award of a first degree or equivalent qualification.
- (4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and the length of the proposed period of training.
- (5) It shall contain particulars of the school or schools at which the person named in the application is to be or may be employed (which may not, in accordance with paragraph 19(2), include a pupil referral unit).
- (6) It shall contain the name of the institution or body who will be the person's employer.
- 22.** The length of the proposed period of training shall be appropriate to the person's need for practical teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than one year and not more than two years.
- 23.** Where the recommending body have submitted a recommendation to the Teacher Training Agency, the person named in that recommendation may be provisionally employed as a registered teacher at the school or schools specified in the recommendation until 14 days after the Teacher Training Agency have notified the recommending body of their decision whether or not to grant the authorisation.
- 24.—(1)** Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.
- (2) An authorisation shall lapse in any of the following circumstances—
- (a) if the registered teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools; or
 - (b) if the registered teacher ceases to be employed by the institution or body named in the recommendation except—
 - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or
 - (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

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25. The recommending body shall cause the registered teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 21(4).

26. Where an authorisation lapses by virtue of regulation 24(2) the recommending body shall report the facts of the case to the Teacher Training Agency.

Provisions applying in respect of an authorisation granted on the recommendation of a recommending body in Wales

27.—(1) On the recommendation of the recommending body, the Secretary of State may grant an authorisation to teach to the person named in that recommendation.

(2) A recommendation for an authorisation shall contain such particulars as the Secretary of State may determine and shall also contain the particulars set out in sub-paragraphs (3) to (6).

(3) It shall contain a statement by the recommending body that the person named in the recommendation—

- (a) is in its opinion a suitable person to be a teacher at a school;
- (b) (i) has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country, or
(ii) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a registered teacher and has successfully completed—
 - (aa) not less than two years' full-time higher education in England or Wales, or
 - (bb) comparable education either full-time or part-time whether in England or Wales or elsewhere;
- (c) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (d) where the person was born on or after 1st December 1979 and during his period of authorisation it is intended that he will teach pupils aged below 11 years, has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (e) has been accepted onto a programme of study leading to the award of a first degree or equivalent qualification.

(4) It shall contain particulars of the training that is proposed to be given to the person named in the recommendation and the length of the proposed period of training.

(5) It shall contain particulars of the school or schools at which the person named in the application is to be employed (which may not, in accordance with paragraph 19(2), include a pupil referral unit).

(6) It shall contain the name of the institution or body who will be the person's employer.

28. The length of the proposed period of training shall be appropriate to the person's need for practical teaching experience and training and, in the case of a first recommendation where the person will be employed full-time, it shall be not less than one year and not more than two years.

29. Where the recommending body have submitted a recommendation to the Secretary of State, the person named in that recommendation may be provisionally employed as a registered teacher at the school or schools specified in the recommendation until 14 days after the Secretary of State has notified the recommending body of his decision whether or not to grant the authorisation.

30.—(1) Subject to sub-paragraph (2), an authorisation shall remain in force for the period of training proposed in the recommendation.

- (2) An authorisation shall lapse in any of the following circumstances—
- (a) if the registered teacher ceases to be employed at the school specified in the recommendation for an authorisation or, where the recommendation specified more than one school, if he ceases to be employed at any of the schools so specified unless the occurrence of either event is because of a change of status of the school or schools (as the case may be) to another type of school or schools; or
 - (b) if the registered teacher ceases to be employed by the institution or body named in the recommendation except—
 - (i) where that arises because of the change of status of a school at which he is employed to another type of school, or
 - (ii) where the employer named in the recommendation was a local education authority and immediately on ceasing to be employed by that authority he is employed by another local education authority.

31. The recommending body shall cause the registered teacher to receive during the period of the authorisation the training, particulars of which were given in pursuance of paragraph 27(4).

32. Where an authorisation lapses by virtue of regulation 30(2) the recommending body shall report the facts of the case to the Secretary of State.”

SCHEDULE 2

Regulation 5.

“SCHEDULE 3

Regulations 3(2) and 13

Qualified teachers and transitional provisions relating to qualified teachers

1.—(1) A person shall be a qualified teacher for the purposes of regulation 13 (but subject to regulations 14 to 16)—

- (a) if he was qualified to be employed as a teacher on 31st March 1993 by virtue of Schedule 5 to the 1989 Regulations; or
- (b) if, the Secretary of State being satisfied on or after 1st April 1993 that he is a person mentioned in paragraphs 2 to 10 and, if he is a person mentioned in paragraph 8 or 9, that the statement submitted by the recommending body or the States of Guernsey Education Council (as the case may be) is correct, he has received written notification from the Secretary of State that he is a qualified teacher,

and in the case of a person receiving written notification under (b) the person shall, subject to sub-paragraphs (2) to (4), be qualified from such date as the Secretary of State may provide in the notification.

(2) Subject to sub-paragraphs (3) and (4), the Secretary of State may provide for a person mentioned in paragraphs 2 to 10 to be a qualified teacher from a date not more than one year prior to the date of notification to the extent that that is appropriate having regard to all the circumstances of the case.

(3) In the case of a person mentioned in paragraph 8 or 10, the Secretary of State shall not provide for the person to be a qualified teacher from a date prior to the date on which the assessment referred to in paragraph 8 or 10 (as the case may be) is completed.

(4) In the case of a person mentioned in paragraph 9, the Secretary of State shall not provide for the person to be a qualified teacher from a date prior to the date on which he completed the period of service as a teacher licensed by the States of Guernsey Education Council as specified in the statement of the States of Guernsey Education Council.

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2. The person has successfully completed a course at a school, city college, institution or university in England or Wales which—
 - (a) is either—
 - (i) for the degree of Bachelor of Education, a certificate in Education, a post-graduate certificate in Education or a comparable qualification awarded by a university in England or Wales, or
 - (ii) a post-graduate course of teacher training at a school or city college;
 - (b) may only be followed by those who have attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education; and
 - (c) was approved at the time when the person completed it as a course for the initial training of teachers in schools.
3. The person—
 - (a) holds a degree or equivalent qualification granted by a United Kingdom institution or an equivalent degree or other qualification granted by a foreign institution; and
 - (b) has successfully completed a course of initial training for teachers in schools at an accredited institution in England or Wales.

For the purposes of this paragraph—

- (i) a “United Kingdom institution” means an institution established in the United Kingdom, other than one which is, or is affiliated to or forms part of, an institution whose principal establishment is outside the United Kingdom, and includes the Council for National Academic Awards⁽⁵⁾.
 - (ii) a “foreign institution”, means any institution other than a United Kingdom institution, and
 - (iii) an “accredited institution” means an institution accredited by the Teacher Training Agency or, in Wales, by the Higher Education Funding Council for Wales, as a provider of courses satisfying such provisions as to curricula and other criteria as may from time to time be specified by the Secretary of State.
4. The person has successfully completed a course of initial training for teachers in schools at an educational institution in Scotland or Northern Ireland.
 5. The person is registered as a teacher of primary or secondary education with the General Teaching Council for Scotland.
 6. The person has been awarded confirmation of recognition as a teacher in schools in Northern Ireland by the Department of Education, Northern Ireland Office, that confirmation not having been subsequently withdrawn.
 7. The person is a person who, as respects the profession of school teacher, falls within Article 3 of Council Directive 89/48 EEC⁽⁶⁾ on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration, as extended by the Agreement of the European Economic Area signed at Oporto on 2nd May 1992⁽⁷⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁸⁾.
 - 8.—(1) Where the person has been granted an authorisation, the recommending body has submitted to the Secretary of State—

⁽⁵⁾ The Council for National Academic Awards was dissolved by S.I. 1993/924 on 20th April 1993.

⁽⁶⁾ OJ No. L19, 24.1.89, p.16.

⁽⁷⁾ Cm. 2073.

⁽⁸⁾ Cm. 2183.

- (a) a recommendation that the person should be awarded qualified teacher status, and
 - (b) the statement described in sub-paragraph (2).
- (2) The statement is a statement that the person—
- (a) has either—
 - (i) successfully completed service as a graduate teacher or a registered teacher (as the case may be) for the period of the authorisation and has successfully completed the training proposed in the recommendation for an authorisation, or
 - (ii) completed not less than three months' service as a graduate teacher or not less than one year's service as a registered teacher (as the case may be) and has made such progress during his period of service as a graduate teacher or a registered teacher (as the case may be) that in the view of the recommending body he did not need, in the light of that progress, to complete that service for the period of the authorisation before being assessed as referred to in paragraph (b);
 - (b) has been assessed by a competent person as meeting the specified standards; and
 - (c) holds a first degree or equivalent qualification granted by an educational institution in England or Wales, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere.
- (3) In this paragraph—
- (a) a “competent person” means, in a case where the recommending body is an accredited institution as defined in paragraph 3, that institution, and in any other case means the person approved by the Teacher Training Agency or (in Wales) the Secretary of State for the purpose of carrying out the assessment referred to in sub-paragraph (2)(b);
 - (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Secretary of State as the standards required of a person who seeks to become a qualified teacher.
9. The States of Guernsey Education Council has submitted to the Secretary of State a recommendation that the person should be awarded qualified teacher status and—
- (a) a statement that he has successfully completed two school years' full-time service or the equivalent period of part-time service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence;
 - (b) a statement that he has successfully completed not less than one school year's service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence and that before the date of commencement of the licence he had attained the age of 24 years and had been employed for not less than two years as a teacher or lecturer at an independent school (including a city college), or an institution or a university in the United Kingdom or as an Instructor or Education Officer in the Armed Forces of the Crown or as an instructor under paragraph 3 of Schedule 3 to the 1989 Regulations or paragraph 3 of Schedule 2 and was not dismissed on grounds other than redundancy; or
 - (c) a statement that he has successfully completed not less than one school term's service as a licensed teacher and the training proposed in the recommendation for a licence and that before the date of commencement of the licence he had successfully completed either—
 - (i) a course of at least three years' duration of initial training for teachers in schools at an educational institution outside England and Wales; or
 - (ii) a first degree course and a post-graduate course of initial training for teachers in schools at such an institution (whether or not the same institution); andthat he had been employed for not less than one year as a teacher or lecturer in a school, independent school (including a city college), institution or university or other educational

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establishment either in England or Wales or elsewhere and was not dismissed on grounds other than redundancy.

10.—(1) The person—

- (a) is in the opinion of the Secretary of State a suitable person to be a teacher at a school;
- (b) has satisfactorily completed a training programme;
- (c) has been assessed by a competent person as meeting the specified standards;
- (d) holds a first degree or equivalent qualification granted by an educational institution in England or Wales, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (e) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (f) where the person was born on or after 1st December 1979 and during his period of training taught pupils aged below 11 years, he has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (g) has attained the age of 24 years.

(2) In this paragraph—

- (a) a “competent person” means, in a case where the organiser of the training programme is an accredited institution as defined in paragraph 3, that institution, and in any other case means the person approved by the Teacher Training Agency or (in Wales) the Secretary of State for the purpose of carrying out the assessment as referred to in sub-paragraph (1)(c);
- (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Secretary of State as the standards required of a person who seeks to become a qualified teacher;
- (c) a “training programme” means a programme of training of not less than three months in a school, other than a pupil referral unit, or in an independent school following an application made by the body that is the organiser of the training to—
 - (i) the Teacher Training Agency, where the body making the application is situated in England, or
 - (ii) the Secretary of State, where the body making the application is situated in Wales, which shall include such particulars as the Teacher Training Agency or the Secretary of State (as the case may be) may determine, and provided the Teacher Training Agency or the Secretary of State (as the case may be) has approved the programme as a programme leading to qualified teacher status prior to the person’s commencement on it.

(3) For the purposes of sub-paragraph (2), a body is situated in England if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated; and a body is situated in Wales if, in the case of a company, its registered office is so situated or, in any other case, its head office is so situated.”

SCHEDULE 3

Regulation 7

Revocations

<i>(1)</i> <i>Regulations revoked</i>	<i>(2)</i> <i>References</i>	<i>(3)</i> <i>Extent of revocation</i>
The Education (Teachers) (Amendment) Regulations 1994	S.I. 1994/222	Regulation 2
The Education (Pupil Referral Units) (Application of Enactments) Regulations 1994	S.I. 1994/2103(9)	Paragraph 6 of Schedule 1 and paragraph 4 of Schedule 2
The Education (Teachers) (Amendment) Regulations 1995	S.I. 1995/602	The whole Regulations
The Education (Teachers) (Amendment) Regulations 1996	S.I. 1996/1603	The whole Regulations
The Education (Teachers) (Amendment) Regulations 1997	S.I. 1997/368	Regulation 3

5th November 1997

Estelle Morris
Parliamentary Under-Secretary of State,
Department for Education and Employment

EXPLANATORY NOTE*(This note is not part of the Regulations)*

These Regulations amend the Education (Teachers) Regulations 1993 (“the principal Regulations”). Apart from minor and drafting amendments, the following changes have been made.

The current schemes by which unqualified teachers can become qualified teachers whilst being employed at a school, known as the licensed, overseas trained and registered teacher schemes are revoked, save for transitional provisions (*see* regulation 6). Those schemes are replaced by new programmes, known as the graduate teacher and registered teacher programmes (*see* regulation 4 and Schedule 1). The programmes enable a person who is not a qualified teacher to teach at a school maintained by a local education authority, except a pupil referral unit, a special school not so maintained or a grant-maintained school, if he is authorised to do so. Authorisations to teach will be granted by the Teacher Training Agency in England and the Secretary of State in Wales.

(9) Relevant amending instrument is S.I. [1995/602](#).

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A person who successfully completes service as a graduate or registered teacher and is assessed as meeting the standards required of a person who seeks to become a qualified teacher may be awarded qualified teacher status (*see* paragraph 8 of the new Schedule 3 to the principal Regulations, inserted by regulation 5 and Schedule 2 to these Regulations).

Where a person who seeks to become a qualified teacher will not be employed under a contract of employment at a school maintained by a local education authority, a special school not so maintained or a grant-maintained school during his period of training, the Teacher Training Agency or, in Wales, the Secretary of State, may approve that person's training programme as a programme leading to qualified teacher status. If that person successfully completes the training programme and is assessed as meeting the standards required of a person who seeks to become a qualified teacher he may be awarded qualified teacher status (*see* paragraph 10 of the new Schedule 3 to the principal Regulations, inserted by regulation 5 and Schedule 2 to these Regulations).

Regulation 7 revokes the Regulations listed in Schedule 3 to these Regulations to the extent specified therein.