
STATUTORY INSTRUMENTS

2003 No. 1662

**The Education (School Teachers'
Qualifications) (England) Regulations 2003**

Citation, commencement and application

1. These Regulations may be cited as the Education (School Teachers' Qualifications) (England) Regulations 2003 and shall come into force on 1st August 2003.
2. These Regulations shall apply in relation to England.

Interpretation

3. In these Regulations –

- “the 1959 Regulations” means the Schools Regulations 1959(1);
- “the 1982 Regulations” means the Education (Teachers) Regulations 1982(2);
- “the 1989 Regulations” means the Education (Teachers) Regulations 1989(3);
- “the 1993 Regulations” means the Education (Teachers) Regulations 1993(4);
- “the 1999 Regulations” means the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999(5);
- “the 2003 Specified Work Regulations” means the Education (Specified Work and Registration) (England) Regulations 2003(6);
- “accredited institution” means an institution accredited by the Teacher Training Agency under regulation 11;
- “city college” means a city technology college or a city college for the technology of the arts;
- “the Council” means the General Teaching Council for England;
- “employment” means employment under a contract of employment or the engagement of a person to provide his services otherwise than under a contract of employment and references to being employed shall be construed accordingly;
- “further education institution” means an institution which provides further education and is maintained by a local education authority, or is within the further education sector;
- “hearing impaired” means deaf or partially hearing;
- “institution” means a further education institution or an institution within the higher education sector;
- “school” means a school maintained by a local education authority or a special school not so maintained;

(1) S.I.1959/364 as amended by S.I. 1968/1281, 1969/1777, 1971/342, 1973/2021 and 1978/1144.

(2) S.I. 1982/106 as amended by S.I. 1988/542 and 1989/329.

(3) S.I. 1989/1319 as amended by S.I. 1989/1541, 1990/1561, 1991/1134, 1991/1840, 1991/2240 and 1992/1809.

(4) S.I. 1993/543 as amended by S.I. 1997/368, 1997/2679 and 1998/1584.

(5) S.I. 1999/2166 as amended by S.I. 2000/2704, 2001/1391, 2001/2896, 2001/3737, 2002/1434 and 2003/107.

(6) S.I. 2003/1663.

“teaching” means carrying out work of a kind which is specified by regulations made under section 133 of the Education Act 2002 and “to teach” shall be construed accordingly; and “visually impaired” means blind or partially sighted.

Revocations and transitional provisions

4.—(1) The regulations mentioned in Part 1 of Schedule 1 are revoked to the extent specified in that Schedule.

(2) The transitional provisions mentioned in Part 2 of Schedule 1 have effect.

Qualified teacher status

5. Subject to regulations 6, 7, 8 and 9, a person is a qualified teacher if he is a person mentioned in –

- (a) paragraph 2 or 3 of Part 1 of Schedule 2, or
- (b) paragraphs 4 to 13 of Part 1 of Schedule 2 and he has been awarded qualified teacher status by the Council in accordance with regulation 10.

Mandatory Qualifications for teachers of hearing impaired pupils

6. Subject to regulations 8 and 9, a person shall not be a qualified teacher for the purpose of teaching a class of pupils who are hearing impaired unless in addition to being a qualified teacher in accordance with regulation 5, he possesses a qualification approved by the Secretary of State for the purpose of this regulation.

Mandatory Qualifications for teachers of visually impaired pupils

7. Subject to regulations 8 and 9, a person shall not be a qualified teacher for the purpose of teaching a class of pupils who are visually impaired unless in addition to being a qualified teacher in accordance with regulation 5, he possesses a qualification approved by the Secretary of State for the purpose of this regulation.

Mandatory Qualifications for teachers of pupils who are both hearing and visually impaired

8.—(1) Subject to paragraph (2) and regulation 9, a person shall not be a qualified teacher for the purpose of teaching a class of pupils who are both hearing impaired and visually impaired unless in addition to being a qualified teacher in accordance with regulation 5, he possesses a qualification approved by the Secretary of State for the purpose of this regulation.

(2) A person who possesses a qualification approved under regulation 6 or 7 shall be a qualified teacher for the purpose of paragraph (1) if his head teacher is satisfied that no teacher with a qualification approved under paragraph (1) is available to teach the class in question.

9. A person who does not possess a qualification approved under regulation 6, 7 or 8 shall be a qualified teacher for the purpose of teaching a class of pupils who are –

- (a) hearing impaired,
- (b) visually impaired, or
- (c) both hearing impaired and visually impaired,

if his head teacher is satisfied that the person in question is in the process of obtaining the qualification required by regulation 6, 7 or 8, as the case may be, and provided that the aggregate period for which he teaches a class of pupils by virtue of this regulation does not exceed three years.

Award of qualified teacher status by the General Teaching Council for England

10.—(1) The Council shall award qualified teacher status to the persons mentioned in paragraphs 4 to 13 of Part 1 of Schedule 2 by written notification.

(2) Subject to paragraphs (3) to (6), persons who receive written notification under paragraph (1) shall obtain qualified teacher status from such date as the Council may provide in the notification.

(3) Subject to paragraphs (4) to (6), the Council may provide for a person mentioned in paragraphs 4 to 13 of Schedule 2 to obtain qualified teacher status from a date not more than one year prior to the date of written notification to the extent that is appropriate having regard to all the circumstances of the case.

(4) In the case of a person mentioned in paragraph 9, 10, 12 or 13 of Schedule 2, the Council shall not provide for that person to obtain qualified teacher status from a date prior to the date on which the assessment referred to in those paragraphs is completed.

(5) In the case of a person mentioned in paragraph 11 of Schedule 2, the Council shall not provide for that person to obtain qualified teacher status 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.

(6) In the case of a person mentioned in paragraph 4, 5 or 6 of Schedule 2, the Council shall provide for that person to obtain qualified teacher status from the date of his qualification as a school teacher in Scotland or Northern Ireland, as the case may be.

Accredited Institutions

11.—(1) The Teacher Training Agency may accredit an institution as a provider of courses or programmes of initial school teacher training.

(2) The Teacher Training Agency shall only accredit an institution which satisfies such criteria as may from time to time be specified by the Secretary of State.

(3) The Teacher Training Agency may withdraw the accreditation of an institution in accordance with such criteria as may from time to time be specified by the Secretary of State.

(4) Before specifying any criteria under paragraphs (2) and (3) the Secretary of State shall consult the Teacher Training Agency.

2nd July 2003

David Miliband
Minister of State,
Department for Education and Skills