

2017 No. 170

EDUCATION

**The Requirements for Teachers (Scotland) Amendment
Regulations 2017**

<i>Made</i>	- - - -	<i>30th May 2017</i>
<i>Laid before the Scottish Parliament</i>		<i>31st May 2017</i>
<i>Coming into force</i>	- -	<i>1st October 2017</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 74(1) and 90(1) of the Education (Scotland) Act 1980(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Requirements for Teachers (Scotland) Amendment Regulations 2017 and come into force on 1st October 2017.

Amendment of the Requirements for Teachers (Scotland) Regulations 2005

- 2.—(1) The Requirements for Teachers (Scotland) Regulations 2005(b) are amended as follows.
- (2) In regulation 3 (general requirements in relation to employment of teachers), after “authority” insert “and managers of every grant-aided school”.
- (3) In regulation 4 (requirement to employ registered teachers), after sub-paragraph (1), insert—
- “(1A) The condition set out in subparagraph (1B) is prescribed for the purpose of section 74(1) in respect of grant-aided schools.
- (1B) Managers of grant-aided schools must employ only a registered teacher as a teacher.”.
- (4) In regulation 4(1), omit “(“registered teacher” having the meaning set out in paragraph (2) below)”.

(a) 1980 c.44 (“the 1980 Act”). Section 74(1) was amended by paragraph 8(17)(a) of schedule 10 of the Self-Governing Schools (Scotland) Act 1989 (c.39). Section 90(1) was relevantly amended by section 27 of the Education (Scotland) Act 2016 (asp 8). Payments to grant-aided schools are authorised under section 73(c) of the 1980 Act.

(b) S.S.I. 2005/355 as amended by S.S.I. 2011/215.

(5) Omit regulation 10 (application of Regulations to Jordanhill School, Glasgow).

St Andrew's House,
Edinburgh
30th May 2017

JOHN SWINNEY
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Requirements for Teachers (Scotland) Regulations 2005 (“the 2005 Regulations”) to extend certain provisions to grant-aided schools.

Regulation 3 of the 2005 Regulations requires education authorities to employ adequate numbers of teachers, with appropriate professional skills and knowledge. Regulation 2(2) of these regulations extends that requirement to managers of every grant-aided school.

Regulation 4 of the 2005 Regulations provides that only registered teachers may be employed as teachers by an education authority. Regulation 2(3) of these regulations extends that requirement to managers of a grant-aided school. This is achieved by insertion of paragraphs (1A) and (1B) into Regulation 4 of the 2005 Regulations.

Regulations 3 and 4 of the 2005 Regulations were formerly applied to Jordanhill School by virtue of Regulation 10 of the 2005 Regulations. As these Regulations extend Regulations 3 and 4 of the 2005 Regulations to all grant-aided schools, the specific provision in Regulation 10 of the 2005 Regulations is no longer required and is deleted by Regulation 2(5) of these Regulations.

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