

*These notes refer to the Education Act 2002 (c.32)
which received Royal Assent on 24 July 2002*

EDUCATION ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 8 – Teachers

School Teachers’ Appraisal

Section 131

Section 131: Appraisal

272. This section updates existing powers under section 49 of the Education (No. 2) Act 1986 (EA 86) under which the Secretary of State, or the NAW, may make regulations requiring appraisal of the performance of schoolteachers employed under national pay and conditions and teachers in FE. Further, this section makes explicit: that the regulations can impose duties on specified groups of people in relation to the appraisal of teachers’ performance; that the appraisal process may involve the exercise of a discretion conferred on persons identified in the regulations, for example, head teachers, governors and those teachers appointed by the headteacher to review performance; and that schools may use appraisal data in pay decisions. Before making regulations under this section the Secretary of State will consult bodies which she thinks appropriate. This section repeals section 49 of the EA 86.