

1972 No. 776 (S.56)

EDUCATION, SCOTLAND

**The Schools (Scotland) Code (Amendment No. 1)
Regulations 1972**

<i>Made</i>	- - -	16th May 1972
<i>Laid before Parliament</i>		25th May 1972
<i>Coming into Operation</i>		1st August 1972

In exercise of the powers conferred upon me by section 2 of the Education (Scotland) Act 1962(a) as set out in section 1(1) of the Education (Scotland) Act 1969(b), and by sections 76 and 144 of said Act of 1962, as amended by said Act of 1969, and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, construction and commencement

1. These regulations, which may be cited as the Schools (Scotland) Code (Amendment No. 1) Regulations 1972, shall be construed as one with the Schools (Scotland) Code 1956(c) as amended(d) (hereinafter referred to as the “principal regulations”) and shall come into operation on 1st August 1972.

Amendment of regulation 4 of the principal regulations

2. In paragraph (4) of regulation 4 of the principal regulations the words “or in a secondary school or department” shall be omitted.

Amendment of regulation 5 of the principal regulations

3. In regulation 5 of the principal regulations for paragraphs (3), (4) and (5) there shall be substituted the following paragraphs—

“(3) In relation to every primary department the education authority shall appoint a head teacher and may appoint such number of assistant head teachers as they think fit: provided that in a school having both a primary and secondary department the education authority shall not appoint more than one head teacher.

(4) The education authority shall not in relation to any primary department appoint a teacher to any grade of promoted post other than one of those specified in paragraph (3) of this regulation: provided that a teacher holding an appointment in relation to any primary department as deputy head teacher or infant mistress immediately before this paragraph comes into operation may continue to hold the said appointment.

(a) 1962 c. 47. (b) 1969 c. 49. (c) S.I. 1956/894 (1956 I, p. 735).
 (d) The relevant amending instruments are S.I. 1965/55, 940, 1967/1162, 1968/1055, 1971/1079 (1965 I, p. 72; I, p. 2398; 1967 II, p. 3396; 1968 II, p. 2849; 1971 II, p. 3215).

(5) In every primary department where the number of pupils in attendance is a number falling within a range of numbers specified in column (1) of Schedule A annexed hereto there shall be employed at least the number of teachers specified opposite that range of numbers in column (2) of the said Schedule: provided that—

(a) in relation to any primary department where at any time the number of pupils as aforesaid increases so as to require, by virtue of this paragraph, the employment of a greater number of teachers, such greater number shall not require to be employed before the expiry of the period of 3 months from the time of the said increase in the number of pupils as aforesaid; and

(b) in this paragraph the expression “primary department” shall not include any nursery class or nursery school.”.

Amendment of regulation 6 of the principal regulations

4. In regulation 6 of the principal regulations for paragraphs (2) to (11) there shall be substituted the following paragraphs—

“(2) In relation to every secondary department the education authority shall appoint a head teacher and may appoint such number of deputy head teachers, assistant head teachers, principal teachers and assistant principal teachers as they think fit: provided that in a school having both a primary and secondary department the education authority shall not appoint more than one head teacher.

(3) The education authority shall not in relation to any secondary department appoint a teacher to any grade of promoted post other than one of those specified in paragraph (2) of this regulation: provided that—

(a) in any secondary department where the number of pupils in attendance does not exceed 600, they may appoint a teacher to a post combining two of the grades so specified; and

(b) a teacher holding an appointment in any secondary department to a post combining the responsibilities of two grades of post or as a woman adviser, principal assistant teacher or special assistant teacher, in each case immediately before this paragraph comes into operation, may continue to hold the said appointment.”.

Amendment of regulation 15 of the principal regulations

5. In paragraph (1) of regulation 15 of the principal regulations, for the words from “Regulation” to the end of the paragraph there shall be substituted the following words—

“in nursery schools and classes the number of pupils in any class shall not exceed 20.”.

New Schedule

6. Immediately before Schedule 1 to the principal regulations there shall be inserted the following Schedule—

“
Regulation 5(5)

SCHEDULE A

NUMBER OF TEACHERS TO BE EMPLOYED IN
PRIMARY DEPARTMENTS

Column (1) Ranges of Numbers of Pupils in Attendance	Column (2) Number of Teachers
1— 19	1
20— 49	2
50— 84	3
85— 119	4
120— 149	5
150— 184	6
185— 219	7
220— 254	8
255— 289	9
290— 314	10
315— 324	11
325— 359	12
360— 394	13
395— 429	14
430— 464	15
465— 499	16
500— 534	17
535— 569	18
570— 604	19
605— 639	20
640— 664	21
665— 674	22
675— 709	23
710— 744	24
745— 779	25
780— 814	26
815— 849	27
850— 884	28
885— 919	29
920— 954	30
955— 989	31
990—1,024	32
1,025—1,059	33

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Gordon Campbell,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh,
16th May 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Schools (Scotland) Code 1956 as follows:—

1. They delete the provision in Regulation 4 which permits the appointment of unregistered teachers to posts in secondary schools.
2. They substitute for the requirement in Regulation 5 to appoint infant mistresses and deputy head teachers in primary schools a provision that the only grades of promoted posts are to be those of head teacher and assistant head teacher.
3. They substitute for the requirement in Regulation 6 to appoint principal teachers, special assistant teachers, women advisers, deputy head teachers and principal assistant teachers in secondary schools a provision that the only grades of promoted posts are to be those of head teacher, deputy head teacher, assistant head teacher, principal teacher and assistant principal teacher.
4. They provide that in secondary schools with rolls of 600 pupils or less dual appointments may be made.
5. They permit promoted staff in posts or appointments which are being abolished to continue to hold such posts or appointments.
6. They supersede the prescription in Regulation 15 for maximum class sizes in primary schools with a provision for minimum staff complements, the minimum number of teachers for each school being determined by the roll.

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