

1990 No. 1561

**EDUCATION, ENGLAND AND WALES**

**The Education (Teachers) (Amendment) Regulations  
1990**

<i>Made - - - -</i>	<i>30th July 1990</i>
<i>Laid before Parliament</i>	<i>2nd August 1990</i>
<i>Coming into force</i>	<i>31st August 1990</i>

The Secretary of State for Education and Science, in exercise of the powers conferred on him by section 218(1)(c), (6) and 232(5) of the Education Reform Act 1988<sup>(a)</sup> hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Teachers) (Amendment) Regulations 1990 and shall come into force on 31st August 1990.

2. The Education (Teachers) Regulations 1989<sup>(b)</sup> shall be amended as follows—

(1) In paragraph (1)(b) of regulation 3 the words ‘or under’ shall be deleted.

(2) In paragraph 9(1) of Schedule 1, after the words ‘local education authority’ there shall be inserted the words ‘or a grant-maintained school or a special school which is not maintained by a local education authority’.

(3) In Schedule 2 after the words “Northern College” there shall be substituted for the word “Oxford” the words “Nr. Barnsley”.

(4) In paragraph 2(2)(c) of Schedule 5 there shall be substituted for sub-paragraph (iii) the following sub-paragraph—

“(iii) a statement—

- (1) that he has successfully completed not less than one term’s service as a licensed teacher and the training proposed in the recommendation for a licence; and
- (2) that before the date of commencement of the licence he had successfully completed either—
  - (a) a course of at least three years’ duration of initial training for teachers in schools at an educational institution outside England and Wales; or
  - (b) 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); and
- (3) that he had been employed for not less than one year as a teacher or lecturer in a school, independent school, institution or university or other educational establishment either in England or Wales or elsewhere and was not dismissed on grounds other than redundancy; or”.

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(a) 1988 c.40.

(b) S.I. 1989/1319, amended by S.I. 1989/1541.

(5) At the end of paragraph 2(3)(a) of Schedule 6, there shall be added the words 'and has not on completion of that period of employment been dismissed or refused extension of his contract on grounds other than redundancy'.

(6) In paragraph 4(2) of Schedule 6—

- (i) for the words 'an authority or body who have' there shall be substituted the words 'where the relevant authority or body have';
- (ii) after the words 'under sub-paragraph (1)' there shall be added the words 'that authority or body, or in the case of a teacher at an aided school the governing body'; and
- (iii) in the proviso to sub-paragraph (a), for the words 'the authority or body' in both places where they occur there shall be substituted the words 'the relevant authority or body or the governing body (as the case may be)'.

(7) In paragraph 4(3) of Schedule 6, for the words, 'or body' there shall be substituted the words 'or governing body'; and for the words 'they have afforded him' there shall be substituted the words 'he has been afforded'.

*John MacGregor*

30th July 1990

Secretary of State for Education and Science

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#### EXPLANATORY NOTE

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

These regulations make further amendments to the Education (Teachers) Regulations 1989, as amended by the Education (Teachers) (Amendment) (No. 2) Regulations 1989.

A small drafting amendment is made to regulation 3(1)(b).

In paragraph 9(1) of Schedule 1 (General Transitional Provisions) the prohibition on the employment, without the consent of the Secretary of State, of a teacher who has failed probation under previous regulations is extended to grant-maintained schools and special schools not maintained by a local education authority.

In Schedule 2 (Designated further or higher education institutions) an amendment relating to the location of Northern College has been made.

In paragraph 2(2)(c) of Schedule 5 (Qualified teachers and transitional provisions relating to qualified teachers) the provision for award of qualified teacher status after one term's service as a licensed teacher has been extended to cover persons who have successfully completed a first degree course and a post-graduate course of initial teacher training at an educational institution outside England and Wales, and have been employed for not less than one year as a teacher or lecturer without being dismissed on grounds other than redundancy.

In paragraph 2(3)(a) of Schedule 6 (Probation) a qualification is added to the exemption from the requirement to serve probation for teachers with two years' service in a city technology college or city college for the technology of the arts, to the effect that the teacher's appointment must not have been terminated on grounds other than redundancy.

Paragraph 4(2) and (3) of the same Schedule are amended to reflect the fact that the governing body of an aided school is the employer of its teachers, although the local education authority is the relevant body for determining whether or not a teacher at such a school has satisfactorily completed probation.

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