
STATUTORY INSTRUMENTS

1991 No. 1034

EDUCATION, ENGLAND AND WALES

The Education (Particulars of Independent Schools) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>16th April 1991</i>
<i>Laid before Parliament</i>		<i>24th April 1991</i>
<i>Coming into force</i>	- -	<i>15th May 1991</i>

In exercise of the powers conferred by sections 70(1), (4) and (5) and 114(1)(1) of the Education Act 1944⁽²⁾, the Secretary of State for Education and Science, in relation to schools in England, and the Secretary of State for Wales, in relation to schools in Wales, hereby make the following Regulations:

1. These Regulations may be cited as the Education (Particulars of Independent Schools) (Amendment) Regulations 1991 and shall come into force on 15th May 1991.

2. The Education (Particulars of Independent Schools) Regulations 1982⁽³⁾ shall be amended as follows—

(a) for regulation 7 (misconduct reports) there shall be substituted the following regulation—

“7. Where a person is dismissed from employment as a member of the staff of a registered school on grounds of his misconduct (whether or not he is convicted of a criminal offence) or would have been so dismissed or considered for dismissal but for his resignation, the proprietor shall report the facts of the case to the Secretary of State in writing within one month of the dismissal or, if given, of any notice of dismissal or, as the case may be, within one month of the resignation.”; and

(b) for paragraph 7 of the Schedule (particulars relating to the school) there shall be substituted the following paragraph—

“7. Individual particulars relating to the staff comprising, in respect of each individual, his full name, date of birth and the capacity in which he is employed and, in the case of each teacher, his qualifications and a statement that he is the head teacher, a full-time assistant teacher or a part-time assistant teacher.”.

(1) See the definition of “prescribed”. For the transfer of functions to the Secretary of State see S.I. 1964/490, 1970/1536 and 1978/274.
(2) 1944 c. 31; subsections (4) and (5) of section 70 were substituted and added respectively by the Education Act 1980 (c. 20), section 34(7).
(3) S.I. 1982/1730.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. Regulation 7 of the Education (Particulars of Independent Schools) Regulations 1982, as substituted by regulation 2(a) of these Regulations, shall not apply in respect of a person, other than a teacher, where the dismissal or resignation takes place or the notice of dismissal is given before the date that these Regulations come into force.

16th April 1991

Kenneth Clarke
Secretary of State for Education and Science

16th April 1991

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Particulars of Independent Schools) Regulations 1982.

The proprietor of a registered school (including a provisionally registered school) is required to make a report to the Secretary of State if a member of staff is dismissed for misconduct or would have been so dismissed or considered for dismissal if he had not resigned. Previously such duty only applied in respect of members of the teaching staff.

Furthermore, when making an application for registration and in the annual returns of a registered school, the proprietor is now required to include certain particulars of all members of staff and not just of the teaching staff.