

## SCHEDULE 2

### CASES AND CIRCUMSTANCES IN WHICH UNQUALIFIED TEACHERS MAY BE EMPLOYED AT SCHOOLS

#### PART I

#### GENERAL

##### **Existing unqualified teachers in nursery classes and at nursery schools**

1.—(1) This paragraph shall apply to an unqualified teacher whose employment as an assistant teacher at a nursery school or as a teacher of a nursery class was permitted by paragraph 4 of Schedule 4 to the 1982 Regulations and who was so employed immediately before 1st September 1989.

(2) Such a teacher may continue to be employed as he was employed immediately before 1st September 1989.

##### **Student teachers**

2.—(1) This paragraph shall apply in the case of an unqualified teacher over the age of 18 years who either—

- (a) having been accepted for admission to a course then approved as a course for the initial training of teachers in schools, is awaiting admission to that course, or
- (b) having been admitted to such a course, has failed satisfactorily to complete it by the date of the end of the period ordinarily required therefor but, during the year next following that date, is continuing the course with a view to so completing it within that year.

(2) Such a teacher may be employed as a teacher at a school so, however, that—

- (a) the aggregate period for which he has been employed by virtue of this paragraph or paragraph 2(2) of Schedule 3 to the 1989 Regulations, by one or more authorities or bodies, does not exceed 2 years or such longer period, if any, as is approved in his case by the Secretary of State, and
- (b) he is required neither to take responsibility for a class nor to teach a subject which is not also taught by a qualified teacher at the school.

##### **Instructors with special qualifications or experience**

3.—(1) This paragraph shall apply in the case of an unqualified teacher appointed, or proposed to be appointed, to give instruction in any art or skill or in any subject or group of subjects (including any form of vocational training) the teaching of which requires special qualifications or experience if, at the time of his appointment—

- (a) the local education authority (in the case of a special school maintained by a local education authority or a county, controlled, aided or special agreement school which has no delegated budget), the governing body acting with the consent of the local education authority (in the case of such a school which has a delegated budget) or the governing body (in the case of a grant-maintained school or a special school not maintained by a local education authority) are satisfied as to his qualifications or, as the case may be, experience, and
- (b) no suitable qualified teacher, licensed teacher or overseas trained teacher is available for appointment or to give the instruction.

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

(2) Such a teacher may be employed at a school to give such instruction as aforesaid, subject to paragraph (3), for such period as no suitable qualified teacher, licensed teacher or overseas trained teacher is available for appointment or to give the instruction.

(3) In the case of such a teacher appointed before 8th April 1982, paragraph (2) shall have effect as if the words “subject to paragraph (3)” to the end were omitted—

- (a) where his appointment was for a specified period, if and so long as that period has not expired, or
- (b) where his appointment was for an unspecified period, if it was not otherwise expressed to be temporary only.