

SCHEDULE 2

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

PART II

LICENSED TEACHERS

4.—(1) This paragraph shall apply to a person who is not a qualified teacher, but who has been granted a licence to teach in accordance with paragraph 5.

(2) Subject to the provisions of this Part of this Schedule, such a person may be employed as a teacher in a school.

5.—(1) On the recommendation of the recommending body, acting, in the case of a school which has a delegated budget, with the consent of the local education authority, the Secretary of State may grant a licence to the person named in that recommendation.

(2) Where the local education authority refuses to give its consent it shall notify the recommending body of its reasons in writing and shall report the facts of the case to the Secretary of State.

6. A recommendation for a licence shall contain such particulars as the Secretary of State may determine.

7. Without prejudice to the generality of paragraph 6, a recommendation shall include—

(1) a statement by the recommending body that the person named in the recommendation—

- (a) is in their opinion a suitable person to be a teacher; and
- (b) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (c) has successfully completed—
 - (i) not less than two years' full-time higher education in England or Wales; or
 - (ii) comparable education either full-time or part-time whether in England or Wales or elsewhere; and
- (d) (i) will have attained the age of 24 years by the date on which it is proposed he shall take up employment as a licensed teacher; or
- (ii) is recognised as a trained teacher by the competent authority in any country outside the United Kingdom;

(2) particulars of the training proposed to be given to the licensed teacher;

- (a) (3) (a) a statement either that the recommending body considers that the teacher may be employed in more than one school maintained by the same local education authority without the licence lapsing under paragraph 8(2) or that the recommending body does not so consider; and
- (b) particulars of the post in which the licensed teacher is to be employed or, where he may be employed in more than one school maintained by the same local education authority, particulars of his first post or of the posts between which his time will initially be divided, including—
 - (i) the name of the school or schools at which he is to be employed;
 - (ii) the age range of the pupils he is to teach;

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- (iii) any subjects in which he is to specialise;
- (iv) a statement as to whether the teacher is to be employed full-time or part-time and in the latter case his normal working hours.

8.—(1) Subject to sub-paragraph (2), a licence shall remain in force—

- (a) in the case of a first licence for a full-time post, for two years from the date of its commencement; or
- (b) in the case of a first licence for a part-time post or a subsequent licence (whether for a full-time or part-time post) for such period as may be specified in the licence.

(2) A licence shall lapse—

- (a) in the case of a licensed teacher who has successfully completed a course of at least three years' duration of initial training for teachers in schools at an educational establishment outside England and Wales and who has been employed for not less than one year as a teacher in a school, independent school, institution or university or other educational establishment either in England or Wales or elsewhere and who was not dismissed on grounds other than redundancy, if that teacher ceases to be employed by the local education authority which was the recommending body or with whose consent the recommending body acted pursuant to paragraph 5;
- (b) in any other case, if the licensed teacher ceases to be employed in the post of which particulars are given in the licence.

(3) For the purpose of this paragraph “date of commencement” means the date specified in the licence as its date of commencement.

9. The recommending body and, in the case of a school which has a delegated budget, the local education authority shall cause the licensed teacher to receive during the period of the licence the training particulars of which were given in pursuance of paragraph 7(2).

10. When the recommending body has submitted a recommendation to the Secretary of State pursuant to paragraph 5(1), the person named in that recommendation may be provisionally employed as a licensed teacher until 14 days after the Secretary of State has notified the recommending body of his decision whether or not to grant the licence.

11. Without prejudice to regulation 11, in any case where a licence lapses by virtue of paragraph 8(2) the recommending body shall report the facts of the case to the Secretary of State unless they have reported the facts of the case to him in pursuance of the duty imposed by regulation 11.