

2000 No. 2175

EDUCATION, ENGLAND

**The General Teaching Council for England (Additional
Functions) Order 2000**

Made - - - - - *7th August 2000*

Laid before Parliament *10th August 2000*

Coming into force *1st September 2000*

Being of the opinion that the General Teaching Council for England may, having regard to their general objectives, appropriately discharge the additional functions hereby conferred and having carried out such consultation as appears to him to be appropriate the Secretary of State for Education and Employment, in exercise of the powers conferred by sections 7(1) and (4) and 42(6) and (7) of the Teaching and Higher Education Act 1998(a), hereby makes the following Order—

1. This Order may be cited as the General Teaching Council for England (Additional Functions) Order 2000 and shall come into force on 1st September 2000.

2. In this Order—

“the 1988 Act” means the Education Reform Act 1988(b);

“the 1998 Act” means the Teaching and Higher Education Act 1998;

“advanced skills teacher” means a teacher who has been certified by an assessor appointed by the Secretary of State for Education and Employment as eligible for appointment to an advanced skills teacher post;

“Council” means the General Teaching Council for England;

“employer” in relation to a teacher includes a person who engages or makes arrangements for the engagement of that teacher to provide his services as a teacher otherwise than under a contract of employment, and “prospective employer”, “employed” and “employment” shall be construed accordingly;

“induction period” means an induction period served in accordance with regulations under section 19 of the 1998 Act(c);

“qualified teacher” has the same meaning as in section 218(2) of the Education Reform Act 1988(d);

(a) 1998 c. 30; The Secretary of State can exercise the powers under Part I of that Act only in relation to England: see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) 1988 c. 40.

(c) Section 19 is amended by section 139 of the Learning and Skills Act 2000 (c. 21). The regulations currently in force under this provision are the Education (Induction Arrangements for School Teachers) (England) Regulations 1999 (S.I. 1999/1065) amended by S.I. 1999/2211, 2000/1001 and 2000/1177.

(d) The Regulations currently in force under this provision are the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166).

“the Register” means the register of teachers which the Council are required to establish and maintain in accordance with section 3 of the 1998 Act and Regulations made under section 4 of that Act, and “registration” shall be construed accordingly;

“registered teacher” means a person for the time being registered under section 3 of the 1998 Act; and

“teacher” includes any person relating to whom the Council are required by this Order to maintain records.

3.—(1) In addition to their other functions the Council shall maintain records relating to the categories of persons listed in Part I of the Schedule to this Order.

(2) The Council shall not be required to maintain records relating to the category of persons listed in paragraph 4 of Part I of the Schedule unless such information is made available to them.

(3) The records mentioned in paragraph (1) shall contain the information listed in Part II of the Schedule to this Order in so far as applicable to the person concerned.

(4) The records mentioned in paragraph (1) shall be kept in electronic form whether or not they are also kept in written form.

7th August 2000

Jacqui Smith
Parliamentary Under Secretary of State,
Department for Education and Employment

PART I

Persons relating to whom the Council is required to maintain records

1. Persons whose names have been removed from the Register other than those who have died.
2. Persons who are ineligible for registration by virtue of section 3(3)(a) to (c) and (4) of the 1998 Act.
3. Qualified teachers who are not registered teachers.
4. Persons who are not registered teachers who have started a course for the initial training of teachers, whether or not they have completed such course.
5. Persons who are not qualified teachers who are employed as teachers in—
 - (a) schools maintained by a local education authority, or
 - (b) special schools not maintained by a local education authority.
6. Persons who are not registered teachers who are preparing for, or who have obtained, the National Professional Qualification for Headship.
7. Persons not falling within any of the above mentioned categories who—
 - (a) have had a reference number assigned to them by the Department for Education and Employment; and
 - (b) are, or have at any time been, employed as a teacher at a school or other educational institution.

PART II

Information to be contained in the records against a person's name

1. The reference number assigned to the teacher by the Department for Education and Employment.
2. Whether the teacher is male or female.
3. The teacher's date of birth.
4. Where applicable, any name by which the teacher was formerly known.
5. If known, the racial group to which the teacher belongs.
6. If known, whether the teacher is a disabled person within the meaning of section 1(1) of the Disability Discrimination Act 1995(a).
7. The teacher's home address or other contact address, telephone number, facsimile number and electronic mail address.
8. The teacher's national insurance number.
- 9.—(1) If known, where the teacher is employed as a teacher—
 - (a) the name, address, telephone and facsimile numbers and electronic mail address of the school or institution at which he is employed to teach;
 - (b) details of the type of school or institution at which he is employed to teach and the name of the local education authority maintaining the school or institution if applicable;

(a) 1995 c. 50.

- (c) whether the employment is full-time or part-time;
- (d) the post held by the teacher; and
- (e) the date on which he took up his current post.

(2) Where the teacher is not currently employed as a teacher, the date on which he was last so employed, and the details specified in paragraphs (a) to (e) of sub-paragraph (1) in relation to his most recent teaching post.

10. If known, if the teacher is retired, on a career break, unemployed or employed otherwise than as a teacher.

11. If known, where the teacher holds a degree or equivalent qualification—

- (a) the date of its award;
- (b) its title;
- (c) the institution by which it was awarded;
- (d) the class of the degree or qualification; and
- (e) its subject.

12. The date on which the teacher qualified as a teacher.

13. If known, the date on which the teacher took up his first post as a qualified teacher.

14. Where the teacher has successfully completed a course for the initial training of teachers—

- (a) the name of the institution providing the course;
- (b) the title or description of the course;
- (c) the subject or subjects studied by the teacher;
- (d) the ages of pupils the course was designed to prepare the teacher to teach; and
- (e) the date on which the course was completed.

15. Where the teacher qualified as a teacher other than by successfully completing a course for the initial training of teachers—

- (a) the type of training programme completed;
- (b) the name of the school or institution at which his teacher training was undertaken; and
- (c) the date on which the training programme was completed.

16. If known—

- (a) particulars of any qualification held by the teacher for teaching the visually or hearing impaired such as is referred to in regulation 11, 12 or 13 of the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999^(a);
- (b) an indication of whether the teacher has been awarded the National Professional Qualification for Headship, and if so, the date of the award; and
- (c) particulars of any other academic or professional qualification held by the teacher.

17. If known, an indication of whether the teacher is an advanced skills teacher, the date on which he was certified as such, the school at which he was employed when he was certified as an advanced skills teacher.

18.—(1) Where the teacher has served an induction period or part of an induction period—

- (a) the identity of the appropriate body (within the meaning of section 19 of the 1998 Act);
- (b) the date on which he started his induction period;
- (c) where applicable, an indication that he successfully completed his induction period, and the date of its completion;

^(a) S.I. 1999/2166.

- (d) where applicable, an indication that he has failed successfully to complete his induction period;
 - (e) where applicable, an indication that he has had his induction period extended, and the period of the extension; and
 - (f) where applicable, an indication that he has completed only part of an induction period, and the period served.
- (2) Where the teacher has not served an induction period, if the teacher is exempt from the requirement to serve an induction period.

19. An indication of whether the teacher has failed a period of probation, and if so whether the Secretary of State or the National Assembly for Wales has consented to his employment as a teacher.

20. Where the teacher is a qualified teacher who is ineligible for registration pursuant to section 3(3), and regulations under section 4, of the 1998 Act, particulars of the direction, disciplinary order or other prohibition by virtue of which he is ineligible for registration.

21. Where the teacher's name has been removed from the register, particulars of the grounds on which his name was removed from the register.

22. The terms of any restriction for the time being in force in relation to the teacher as the result of a direction given by the Secretary of State or National Assembly for Wales by virtue of section 218(6) of the 1988 Act**(a)**.

23. The terms of any restriction for the time being in force in relation to the teacher as a result of disciplinary action taken by the General Teaching Council for Scotland.

24. An indication of whether the teacher has retired under regulation E4(4) of the Teachers' Pensions Regulations 1997**(b)** (ill health retirement).

(a) The Regulations currently in force under this provision are the Education (Teachers) Regulations 1993 (S.I. 1993/543); the relevant amending instruments are S.I. 1995/2594 and 1998/1584.

(b) S.I. 1997/3001 to which there are amendments not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers additional functions on the General Teaching Council for England, a body corporate established by section 1(1) of the Teaching and Higher Education Act 1998. The Council's functions include establishing and maintaining a register of teachers, issuing a Code of Practice laying down the standards of professional conduct and practice expected of registered teachers, exercising disciplinary powers in relation to registered teachers and persons applying for registration and giving advice about teaching issues to the Secretary of State and others.

The additional functions conferred by this Order are to maintain records in a written or electronic form relating to the categories of persons mentioned in Part I of the Schedule to the Order. These are teachers whose names have been removed from the register, certain teachers who are ineligible for registration, teachers with qualified teacher status who are not registered, persons who have undertaken teacher training, certain unqualified teachers, unregistered teachers preparing for the National Professional Qualification for Headship, and unregistered teachers who have a teacher reference number and who are, or have in the past been, serving teachers. The information to be included in the records is set out in Part II of the Schedule and is similar to the information to be recorded on the Register in relation to registered teachers.

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