

**2000 No. 2176**

**EDUCATION, ENGLAND**

**The General Teaching Council for England (Registration of Teachers) Regulations 2000**

<i>Made</i> - - - -	<i>7th August 2000</i>
<i>Laid before Parliament</i>	<i>10th August 2000</i>
<i>Coming into force</i>	
<i>Regulations 12, 16 and 17-</i> -	<i>1st February 2001</i>
<i>Remainder-</i> - - - -	<i>1st September 2000</i>

In exercise of the powers conferred on the Secretary of State by sections 3(3)(d), 4, 5(1) and (2)(b), 14(3) and 42(6) and (7) of the Teaching and Higher Education Act 1998(a), the Secretary of State for Education and Employment hereby makes the following Regulations:

PART 1

**INTRODUCTION**

**Citation and commencement**

1.—(1) These Regulations may be cited as the General Teaching Council for England (Registration of Teachers) Regulations 2000.

(2) Regulations 12, 16 and 17 shall come into force on 1st February 2001, and all other regulations shall come into force on 1st September 2000.

**Interpretation**

2. In these Regulations, unless the context otherwise requires—

“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;

“Code of Practice” means the code of practice authorised to be issued under regulation 13;

“the 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

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(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).  
For the meaning of “prescribed” and “regulations” see section 43(1).

(b) 1988 c. 40.

contract of employment, and “prospective employer”, “employed” and “employment” shall be construed accordingly;

“independent school” has the same meaning as in section 463 of the Education Act 1996(a);

“induction period” means an induction period served in accordance with regulations made in relation to England or Wales under section 19 of the 1998 Act(b);

“institution within the further education sector” has the same meaning as in section 91(3) of the Further and Higher Education Act 1992(c);

“institution within the higher education sector” has the same meaning as in section 91(5) of the Further and Higher Education Act 1992;

“non-maintained special school” means a special school which is neither a community special school nor a foundation special school;

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

“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 these Regulations, and “registration” shall be construed accordingly;

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

“school maintained by a local education authority” has the same meaning as in section 142(1) of the School Standards and Framework Act 1998; and

“special school” has the same meaning as in section 337(1) of the Education Act 1996(e).

## PART II

### REGISTRATION OF TEACHERS

#### Disqualification from registration

3. For the purposes of section 3(3)(d) of the 1998 Act, a person is not eligible for registration if he is ineligible for registration as a teacher in Scotland or Northern Ireland, or disqualified from being a teacher in any school, by virtue of—

- (a) section 11 of the Teaching Council (Scotland) Act 1965(f);
- (b) regulation 9 of the Teachers’ (Eligibility) Regulations (Northern Ireland) 1997(g); or
- (c) regulations made under article 36 of the Education (Northern Ireland) Order 1998(h).

#### Applications for registration

4.—(1) An application for registration shall include—

- (a) the teacher number assigned to the applicant by the Department for Education and Employment;
- (b) the applicant’s full name;
- (c) the applicant’s date of birth;
- (d) the applicant’s home address or other contact address; and
- (e) the date on which the applicant qualified as a teacher.

(2) The Council may make further provision as to—

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- (a) 1996 c. 56; section 463 is amended by paragraphs 57 and 124 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31).
  - (b) Section 19 is amended by section 139 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 2000/2211.
  - (c) 1992 c. 13.
  - (d) The Regulations currently in force under this provision are the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166).
  - (e) 1996 c. 56; section 337(1) is amended by paragraph 80 of Schedule 30 to the School Standards and Framework Act 1998.
  - (f) 1965 c. 19; section 11 is prospectively amended by section 50 of the Standards in Scotland’s Schools etc. (Scotland) Act 2000 (asp 6).
  - (g) S.R. (N.I.) 1997 No. 312.
  - (h) S.I. 1998 No. 1759 (N.I. 13).

- (a) the form and manner in which applications for registration are to be made; and
- (b) the documentary and other evidence which is to accompany applications for registration.

#### **Registration on establishment of the Register**

5.—(1) On the establishment of the Register, the Council may register persons eligible for registration who have not made applications for registration.

(2) The Council shall send written confirmation of their registration to all persons registered under paragraph (1).

(3) The Council shall at his request provide free of charge a copy of the information recorded on the Register against his name to a person registered under paragraph (1).

#### **Content of Register**

6.—(1) There shall be recorded in the Register against the names of those registered in it the matters listed in Schedule 1.

(2) The Council may make provision as to additional matters to be recorded in the Register.

#### **Division of Register into separate parts**

7. The Council may make provision as to the division of the Register into separate parts.

#### **Amending entries on the Register**

8. The Council may make provision as to the restoration and alteration of entries on the Register, and the transfer of entries between different parts of the Register.

#### **Charging of registration fees**

9. The Council may make provision—

- (a) to charge fees fixed by them with the approval of the Secretary of State in respect of—
  - (i) applications for registration or for the restoration of entries in the Register, and
  - (ii) the retention of entries in the Register;
- (b) for there to be exceptions where fees are not to be charged; and
- (c) for them to refuse an application for registration until the appropriate fee has been paid.

#### **Removal of entries from the Register**

10. The Council may make provision as to the removal of entries from the Register where the persons concerned have ceased to be eligible for registration, have failed to pay a registration fee, or otherwise.

#### **Issue and form of certificates of registration**

11. The Council may make provision as to the issuing of certificates of registration to registered teachers, and as to the form of such certificates.

#### **Public access to the Register**

12.—(1) The Council shall on request inform a member of the public whether or not a person is a registered teacher.

(2) The Council may make available for inspection the names of teachers on the Register in such a manner as the Council determine.

### **PART III**

### **CODE OF PRACTICE**

#### **Issue and revision of Code of Practice**

13. The Council may issue and from time to time revise a Code of Practice laying down standards of professional conduct and practice expected of registered teachers.

### **Provision of copies of the Code of Practice**

**14.**—(1) The Council shall make copies of the Code of Practice available free of charge to all registered teachers—

- (a) when the Code of Practice is first issued;
- (b) if the Council so determine, when the Code of Practice is revised; and
- (c) on a teacher's first registration.

(2) The Council may make available a copy of the Code of Practice free of charge at any website maintained by them on the internet.

(3) The Council may make available a copy of the Code of Practice free of charge to a person—

- (a) who is the employer or prospective employer of a teacher, or who is concerned with the employment of teachers, or
- (b) who is engaged in or concerned with the training or professional development of teachers,

at his request.

(4) Subject to paragraphs (1) to (3), the Council shall on request provide copies of the Code of Practice on payment of such reasonable charge as they shall decide.

## **PART IV**

### **SUPPLY OF INFORMATION**

#### **Supply of information to teachers**

**15.**—(1) The Council shall supply a registered teacher, at his request, with a copy of the information entered on the Register against his name free of charge.

(2) The Council shall supply a person about whom they maintain records in accordance with an order under section 7(1) and (4) of the 1998 Act, at his request and free of charge, with a copy of such records as they maintain about him pursuant to such order.

#### **Supply of information to employers**

**16.**—(1) Subject to paragraph (5), the Council shall if requested by an employer or prospective employer to whom this paragraph applies of—

- (a) a registered teacher; or
- (b) an unregistered person about whom they maintain records in accordance with an order under section 7(1) and (4) of the 1998 Act,

supply that employer or prospective employer with the information set out in Schedule 2 in respect of the teacher or person concerned.

(2) Paragraph (1) applies to an employer or prospective employer who is—

- (a) a local education authority;
- (b) the governing body of a school maintained by a local education authority;
- (c) the governing body of a non-maintained special school;
- (d) the proprietor of an independent school;
- (e) an institution within the higher education sector; or
- (f) an institution within the further education sector.

(3) The following shall be treated as an employer or prospective employer to whom paragraph (1) applies—

- (a) a local education authority where the employer or prospective employer is the governing body of a school maintained by that authority (whether or not the governing body has made a request under paragraph (1));
- (b) the appropriate diocesan authority in relation to a Church of England or Roman Catholic Church school (within the meaning of section 142 of the School Standards and Framework Act 1998) where the employer or prospective employer is the governing

body of the school or the local education authority maintaining the school (whether or not the governing body or the authority have made a request under paragraph (1)); and

(c) the Ministry of Defence in relation to a person appointed, or being considered for appointment, as a teacher at a school maintained or assisted by the Ministry of Defence.

(4) A person to whom paragraph (1) applies, or who is to be treated as such a person, shall not disclose information supplied under this regulation to any person other than the teacher or person to whom the information relates.

(5) Information may only be supplied under this regulation for reasons relating to a person's employment or prospective employment as a teacher.

(6) Before supplying information under this regulation, the Council must be satisfied that the person making the request proposes to use the information for the purposes referred to in paragraph (5).

### **Supply of information to the General Teaching Council for Scotland**

**17.**—(1) The Council shall on request supply the information set out in Schedule 2 in relation to—

(a) a registered teacher; or

(b) a person about whom they maintain records in accordance with an order under section 7(1) and (4) of the 1998 Act,  
to the General Teaching Council for Scotland.

(2) Information may only be supplied pursuant to paragraph (1) on condition that the General Teaching Council for Scotland shall not disclose information supplied under this regulation to any person other than the teacher or person to whom the information relates.

7th August 2000

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

**Matters to be recorded in the register against a teacher'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, and if known his 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;
  - (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) If known, 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.

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(a) 1995 c. 50.

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<sup>(a)</sup>;
  - (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, and 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;
  - (d) where applicable, an indication that he has had his induction period extended, and the period of the extension; and
  - (e) 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. If applicable, an indication that the teacher has failed a period of probation, and whether the Secretary of State or the National Assembly for Wales has consented to his employment as a teacher.
20. The category in which the teacher may vote for the election of members to the Council.
21. 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<sup>(b)</sup>.
22. 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.

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(a) S.I. 1999/2166.

(b) 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.

23. An indication of whether the teacher has paid his registration fee.

24. If applicable, an indication that the teacher has retired under regulation E4(4) of the Teachers' Pensions Regulations 1997(a) (ill health retirement).

## SCHEDULE 2

Regulations 16 and 17

### Information to be supplied to employers and the General Teaching Council for Scotland

1. Whether or not the teacher is registered.
2. Whether or not the teacher is a qualified teacher.
3. The date on which the teacher qualified as a teacher.
4. If known, where the teacher holds a degree or equivalent qualification—
  - (a) its title;
  - (b) the class of the degree or qualification; and
  - (c) its subject.
5. 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; and
  - (d) the ages of pupils the course was designed to prepare the teacher to teach.
6. 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; and
  - (b) the name of the school or institution at which his teacher training was undertaken.
7. 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;
  - (b) if applicable, an indication that the teacher has been awarded the National Professional Qualification for Headship; and
  - (c) particulars of any other academic or professional qualification held by the teacher.
8. Where applicable and if known, an indication that the teacher is an advanced skills teacher.
- 9.—(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) where applicable, an indication that he successfully completed his induction period, and the date of its completion;
  - (c) where applicable, an indication that he has failed successfully to complete his induction period;
  - (d) where applicable, an indication that he has had his induction period extended, and the period of the extension; and

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(a) S.I. 1997/3001 to which there are amendments not relevant to these Regulations.



(e) 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.

**10.** If applicable, an indication that the teacher has failed a period of probation, and whether the Secretary of State or the National Assembly for Wales has consented to his employment as a teacher.

**11.** 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.

**12.** 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.

**13.** If applicable, an indication that the teacher has retired under regulation E4(4) of the Teachers' Pensions Regulations 1997 (ill health retirement).

## EXPLANATORY NOTE

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

These Regulations relate to the functions of the General Teaching Council for England, a body corporate established by section 1(1) of the Teaching and Higher Education Act 1998 (“the Act”) with the aims of contributing to improving the standards of teaching and the quality of learning and maintaining and improving the standards of professional conduct amongst teachers in the public interest.

Section 3 of the Act confers on the Council the function of establishing and maintaining a register of teachers. Part II of these Regulations makes provision as to the form and manner in which the register is to be kept, and other matters relating to registration. Part II also prescribes circumstances additional to those set out in section 3 of the Act in which teachers are ineligible for registration.

Part III authorises the Council to issue and from time to time revise a Code of Practice laying down standards for the professional conduct and practice expected of registered teachers, and makes provision about the provision by the Council of copies of the Code.

Part IV requires the Council to supply copies of information held about them to registered teachers and other persons such as qualified teachers who are not registered about whom the Council hold records pursuant to the General Teaching Council for England (Additional Functions) Order 2000 (S.I. 2000/2175). The Council are also required to supply the information set out in Schedule 2 to employers and prospective employers of teachers and to the General Teaching Council for Scotland.

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