
STATUTORY INSTRUMENTS

2001 No. 1266

EDUCATION, ENGLAND

**The Teachers (Compulsory Registration)
(England) Regulations 2001**

Made - - - - 28th March 2001
Laid before Parliament 30th March 2001
Coming into force - - 1st June 2001

In exercise of the powers conferred on the Secretary of State by sections 218(1) (aa) and 232 (5) and (6) of the Education Reform Act 1988(1) the Secretary of State for Education and Employment hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Teachers (Compulsory Registration) (England) Regulations 2001 and shall come into force on 1st June 2001.

(2) These Regulations shall apply in relation to England(2).

2.—(1) In these Regulations—

“1988 Act” means the Education Reform Act 1988;

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

“registered” means registered in accordance with section 3 of the 1998 Act(3) by the General Teaching Council for England, and “registration” shall be construed accordingly.

(2) Words or expressions used in these Regulations set out in the first column of the following table shall have the meanings attributed to them by the provisions of the 1988 Act set out opposite thereto in the second column.

qualified teacher	section 218(2)(4)
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- (1) 1988 c. 40: section 218(1)(aa) was inserted by section 11 of the Teaching and Higher Education Act 1998 (c. 30). Section 232(6) was amended by section 14 of the Education Act 1994 (c. 30) and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998.
- (2) Functions under section 218(1) of the Education Reform Act 1988 transferred to the National Assembly for Wales by virtue of S.I. 1999/672.
- (3) The Regulations currently in force under this provision are the General Teaching Council for England (Registration of Teachers) Regulations 2000 (S.I. 2000/2176).
- (4) The Regulations currently in force under this provision are the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999 (S.I. 1999/2166 amended by S.I. 2000/2704).

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school	section 218(12)(5)
a person employed as a teacher	section 218(13)(a)(6)

(3) A reference to a teacher taking up a post as a teacher includes a reference to the engagement of a teacher to provide his services as a teacher otherwise than under a contract of employment, and a reference to a teacher occupying a post includes a reference to a teacher occupying a post pursuant to such an engagement.

3. Subject to regulation 4, no person shall be employed as a teacher at a school unless he is registered.

4. A person specified in Part I of the Schedule is excepted from the requirement imposed by regulation 3, and a person specified in Part II of the Schedule is excepted from that requirement for the period specified in the case in question.

28th March 2001

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

(5) A new section 218(12) was substituted by paragraphs 16 and 17 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31).

(6) A new section 218(13) was inserted by section 49(1) and (4) of the Education Act 1997 (c. 44).

SCHEDULE

Regulation 4

Cases in which a person who is not registered may be employed as a teacher at a school

PART I

1. A person who is not a qualified teacher but who is employed as a teacher at a school by virtue of regulations from time to time in force under section 218(1)(a) of the 1988 Act (7).
2. A person who is employed as a teacher at a school solely in the provision of—
 - (a) part-time education to persons over compulsory school age only; or
 - (b) full-time education to persons who have attained the age of 19 years only; or
 - (c) both such part-time and such full-time education.
3. A person who has failed satisfactorily to complete an induction period in accordance with the Education (Induction Arrangements for School Teachers) (England) Regulations 1999 (8) whose employment is subject to restriction under regulation 16(5) of those regulations pending the outcome of an appeal.

PART II

4. A qualified teacher who—
 - (a) is eligible under the 1998 Act for registration;
 - (b) on or after 1st June 2001 takes up—
 - (i) his first ever post as a qualified teacher at a school, or
 - (ii) his second or subsequent post as a qualified teacher at a school following a break in service of one school term or more as a qualified teacher at a school; and
 - (c) before he took up that post he made an application for registration which complies with the requirements for making such an application from time to time in force under section 4(2) (a) and (b) of the 1998 Act (9),

is excepted from the requirement imposed by regulation 3 for a period of 4 weeks starting on the date on which he takes up that post.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce a requirement that from 1st June 2001 all teachers at schools maintained by local education authorities and non-maintained special schools in England are to be registered by

(7) The Regulations currently in force under this provision are S.I. 1999/2166 amended by S.I. 2000/2704.

(8) S.I. 1999/1065 amended by S.I. 1999/2211 and 2000/1001, 1177, 2171 and 2001/103.

(9) The Regulations currently in force under this provision are S.I. 2000/2176.

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the General Teaching Council for England under section 3 of the Teaching and Higher Education Act 1998.

The regulations make exceptions to this requirement for teachers who do not have qualified teacher status, some teachers who do not teach children of compulsory school age and teachers undertaking restricted duties pending an induction appeal. A teacher taking up a teaching post on or after 1st June 2001 which is his first post as a qualified teacher or his first such post following a break in service of one school term or more is also excepted from the registration requirement for a period of 4 weeks provided he made an application for registration beforehand.