

SCHEDULE 2

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

PART 1

GENERAL

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 school which has no delegated budget or a pupil referral unit), the governing body acting with the consent of the local education authority (in the case of a school maintained by a local education authority which has a delegated budget) or the governing body (in the case of 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, graduate teacher or registered teacher is available for appointment or to give the instruction.

(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, graduate teacher or registered 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.