
WELSH STATUTORY INSTRUMENTS

2002 No. 2938 (W.279)

EDUCATION, WALES

The Education (Teachers' Qualifications and Health Standards) (Wales) (Amendment) Regulations 2002

Made - - - - - *27th November 2002*

Coming into force - - - - - *17th December 2002*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 218(1)(a) and (2) and 232(5) and (6) of the Education Reform Act 1988(1) and now vested in the National Assembly(2).

Name and commencement

1. These Regulations are called the Education (Teachers' Qualifications and Health Standards) (Wales) (Amendment) Regulations 2002 and shall come into force on 17th December 2002.

Amendment of Regulations

2. The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(3) shall be amended as follows.

3. In regulation 3(2) at the appropriate point in alphabetical order there shall be inserted the following definition:

““governing body” (*“corff llywodraethu”*) in relation to a further education institution has the same meaning as in section 90(1) of the Further and Higher Education Act 1992(4);”.

4. Schedule 3 shall become Part I of Schedule 3, and immediately before paragraph 1 there shall be inserted the heading “PART I”.

5. In Part I of Schedule 3—

(a) in paragraph 1(1)(b) for the words from “paragraphs 2 to 9” to “States of Guernsey Education Council” substitute “paragraphs 2 to 11, and if he or she is a person mentioned in paragraph 7, 8, 10 or 11 that the statement submitted by the recommending body, the States of Guernsey Education Council or the recommending authority”;

(1) 1988 c. 40; Section 232(6) was amended by section 14 of the Education Act 1994 and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998 (c. 30).

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) S.I. 1999/2817 (W.18).

(4) 1992 c. 13.

- (b) in paragraph 1(2) for “9” substitute “11”;
- (c) in paragraph 1(3) for “7 or 9” each time they occur substitute “7, 9, 10 or 11”;
- (d) after paragraph 9 insert the following paragraphs—

“10.—(1) The recommending authority has submitted to the Assembly a recommendation that a person should be awarded qualified teacher status and a statement that—

- (a) on the date of the recommendation he or she is employed as a teacher in an independent school; and
 - (b) he or she has been assessed by the recommending authority as meeting the specified standards; and
 - (c) (i) before 1st January 1974 he or she obtained qualifications meeting the requirements of paragraphs 12, 13, 14, 15, 16, 17 or 18 of Part II of this Schedule, or
 - (ii) before 1st January 1974 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution, or
 - (iii) before 1st September 1989 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution in mathematics, physics, chemistry, biology, botany, zoology, physiology, biochemistry or geology; and
 - (d) he or she was employed as a teacher in an independent school before 1st September 1989.
- (2) In this paragraph—

- (a) “recommending authority” means—
 - (i) in the case of a teacher who is not a head teacher or principal, the head teacher or principal of the independent school at which he or she is employed to teach, and
 - (ii) in the case of a head teacher or principal, the chairman of the governing body of the school, or if none the proprietor of the school;
- (b) “foreign” institution has the same meaning as in paragraph 2(2)(b); and
- (c) “specified standards” has the same meaning as in paragraph 9(2)(b).

11.—(1) The recommending authority has submitted to the Assembly a recommendation that a person should be awarded qualified teacher status and a statement that—

- (a) on the date of the recommendation he or she is employed as—
 - (i) a teacher in a further education institution; or
 - (ii) an instructor in a school in accordance with paragraph 3 of Schedule 2;
- (b) he or she has been assessed by the recommending authority as meeting the specified standards;
- (c) (i) before 1st January 1974 he or she obtained qualifications meeting the requirements of paragraphs 12, 13, 14, 15, 16, 17 or 18 of Part II of this Schedule, or

- (ii) before 1st January 1974 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution; or
 - (iii) before 1st September 1989 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution in mathematics, physics, chemistry, biology, botany, zoology, physiology, biochemistry or geology;
 - (d) he or she was employed as a teacher in a further education institution before 1st September 1989;
 - (e) he or she holds a Certificate in Education or a Post-graduate Certificate in Education; and
 - (f) in the opinion of the recommending authority, he or she has sufficient teaching experience to be able to teach pupils aged from 14 years to 19 years.
- (2) In this paragraph—
- (a) “recommending authority” means—
 - (i) in the case of a teacher who is not a head teacher or principal, the head teacher or principal of the further education institution at which the person is employed to teach; and
 - (ii) in the case of a head teacher or principal, the chairman of the governing body;
 - (b) “foreign” institution has the same meaning as in paragraph 2(2)(b); and
 - (c) “specified standards” has the same meaning as in paragraph 9(2)(b).”.
6. After Part I of Schedule 3 insert the following Part—

“PART II

Art

12. The requirements of this paragraph are that the person—
- (a) obtained before 1st January 1965 the qualification of—
 - (i) London University Diploma in Fine Art (Slade School),
 - (ii) Diploma of Associateship of the Royal College of Art (ARCA) or Master of Art of the Royal College of Art (M Art (RCA)),
 - (iii) Diploma of Designer of the Royal College of Art (Des RCA) or Certificate of Designer of the Royal College of Art (Cert Des RCA) or Master of Design of the Royal College of Art (M Des (RCA)),
 - (iv) Certificate of the Royal Academy Schools awarded on the successful completion of the course at the Academy, or
 - (v) Diploma in Art and Design awarded by the National Council for Diplomas in Art and Design; or
 - (b) obtained a qualification specified in paragraphs (i) to (v) of sub-paragraph (a) on or after 1st January 1965, and before he or she had obtained that qualification he or she had attained the minimum education qualifications required for entrance to a recognised college of education.

Handicraft

13. The requirements of this paragraph are that the person obtained the City and Guilds of London Institute Teacher's Certificate in Handicraft before 1st January 1961.

Music

14. The requirements of this paragraph are that the person—

- (a) obtained the qualification of—
 - (i) Birmingham School of Music's Graduate Diploma (GBSM),
 - (ii) Guildhall School of Music's Graduate Diploma (GGSM),
 - (iii) London College of Music's Graduate Diploma (GLCM),
 - (iv) Northern School of Music's Graduate Diploma (GNSM),
 - (v) Royal College of Music's Degree of Master in Music (M Mus, RCM),
 - (vi) Royal College of Organists' Fellowship Diploma (FRCO),
 - (vii) Royal Manchester College of Music's Graduate Diploma (GRSM (Manchester)),
 - (viii) Royal Schools of Music's Graduate Diploma (GRSM), or
 - (ix) Trinity College of Music's Graduate Diploma (GTCL); or
- (b) obtained before 1st January 1964 the qualification of—
 - (i) Birmingham School of Music's Diploma awarded on the successful completion of the two year teacher training course for the Associateship of the Birmingham School of Music (ABSM) (TTD), or the Diploma of Associateship of the Birmingham School of Music (ABSM) (Teacher) of any instrument or the voice awarded on the successful completion of the three year full-time course or a period of part-time study,
 - (ii) The London School of Dalcroze Eurhythmics, Liphook's Teaching Certificate awarded on the successful completion of the three year course ending on or before 31st December 1955,
 - (iii) The Dalcroze Society (Incorporated) Training Centre's Certificate awarded on the successful completion of the three year course ending in 1954 or 1955,
 - (iv) The Dalcroze Society (Incorporated) London School of Eurhythmics's Certificate awarded on the successful completion of the three year course ending on or after 1st January 1956,
 - (v) Dartington College and Arts Centre's Diploma of Music Education for Schools,
 - (iv) Associateship of the Guildhall School of Music (AGSM) or Licentiate of the Guildhall School of Music (LGSM) with special Teacher's Diploma (Music) or AGSM or LGSM Teacher's Diploma (instrumental or otherwise) or AGSM or LGSM Aural Training and Musical Appreciation or AGSM or LGSM Class Singing and Voice Training,
 - (vii) Huddersfield College of Technology's Diploma in Music,
 - (viii) Licentiate of the London College of Music Teacher's Diploma (LLCM (TD)) in an instrument, or the voice or (if obtained not later than 31st December 1960) in School Music or LLCM in School Music,
 - (ix) Northern School of Music's Associate Diploma of Music Education,

- (x) Licentiate of the Royal Academy of Music (LRAM) Teacher's Diploma (instrumental or otherwise) or LRAM Aural Training or LRAM Voice Culture and Class Singing,
 - (xi) Associateship of the Royal College of Music (ARCM) Teacher's Diploma (instrumental or otherwise),
 - (xii) Associateship of the Royal Manchester College of Music (ARMCM) or ARMCM (School Music),
 - (xiii) Trinity College of Music's Licentiate Teacher's Diploma, Licentiate of Trinity College London (LTCL) (instrumental or otherwise) or Fellowship, FTCL or Diploma of Music Education for Schools (LTCL Mus Ed),
 - (xiv) The Diploma in Music of any College of the University of Wales, or
 - (xv) Licentiate of the Royal Schools of Music (LRSM) or Royal Schools of Music's Teacher's Diploma (instrumental or otherwise);
- and before he or she had obtained the qualification referred to in sub-paragraph (a) or (b) he or she had attained the minimum educational qualifications required for entrance to a recognised college of education.

Needlework and Domestic Subjects

- 15.** The requirements of this paragraph are that the person obtained the qualification of—
- (a) two certificates in different needlecraft subjects of the City and Guilds of London Institute, one of which must be a Teacher's Certificate,
 - (b) Technical Teachers' Certificate of the City and Guilds of London Institute awarded from 1955 to 1964 and two Certificates of the Institute in different needlecraft subjects, one of which must be an advanced certificate, or
 - (c) Domestic Subjects (Further Education) Teacher's Certificate of the City and Guilds of London Institute awarded from 1956 to 1970, together with—
 - (i) two Certificates of the Institute in different needlecraft subjects, one of which must be an advanced certificate, or
 - (ii) the Institute's Certificate in Advanced Domestic Cookery and the Institute's Certificate in Housecraft or Home Management.

Science Subjects

- 16.** The requirements of this paragraph are that the person obtained the qualification of—
- (a) Associateship of the Royal College of Science (London),
 - (b) Membership or Associate Membership of the Institute of Physics including Associateship or Graduateship of the Institute obtained before 1st March 1971,
 - (c) Associateship or Graduateship of the Royal Institute of Chemistry, or
 - (d) Membership of the Institute of Biology.

Speech and Drama

- 17.** The requirements of this paragraph are that the person obtained the qualification of—
- (a) Teaching Diploma awarded on successful completion of the three year course at the Central School of Speech Training and Dramatic Art (later the Central School of Speech and Drama),

- (b) Teaching Diploma in Speech and Drama awarded on successful completion of the three year course at the Royal Academy of Music,
- (c) Teaching Diploma in Speech and Drama awarded on successful completion of the three year course at the New College of Speech and Drama,
- (d) Associateship of the Guildhall School of Music and Drama (AGSM) Teacher's Diploma in Speech and Drama awarded on successful completion of the three year course at the Guildhall School of Music and Drama before 1st January 1960,
- (e) Diploma awarded on successful completion of the three year course in Speech and Drama conducted by the Rose Bruford Training College of Speech and Drama (later Rose Bruford College of Speech and Drama),
- (f) Teacher's Certificate awarded on successful completion of the three year full-time course of training in Speech and Drama conducted by the Northern School of Music until 1968,
- (g) Diploma awarded in 1969 on the successful completion of the three year full-time course of training for teachers of Speech and Drama at the Manchester College of Art and Design, or
- (h) Diploma awarded from 1970 on the successful completion of the three year full-time course of training for teachers of Speech and Drama at Manchester Polytechnic,

and before he or she obtained a qualification referred to in sub-paragraphs (a) to (h) he or she had attained the minimum education qualifications required for entrance to a recognised college of education.

Other qualifications

18. The requirements of this paragraph are that the person obtained the qualification of—

- (a) Higher National Diploma,
- (b) Higher National Certificate,
- (c) Diploma in Technology awarded by the National Council for Technological Awards or the Council for National Academic Awards, or
- (d) National Froebel Union or Foundation's Certificate A awarded on successful completion of a three year course.

19. In this Part “the minimum educational qualifications required for entrance to a recognised college of education” means a minimum of five General Certificate of Education ordinary level qualifications, or the equivalent.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5)

27th November 2002

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 (“the 1999 Regulations”) to enable certain teachers in independent schools or certain further education teachers employed at further education institutions or as instructors at schools, to be awarded qualified teacher status.

Under the amended Regulations, a teacher may now be recommended for qualified teacher status if he or she is currently employed as a teacher in an independent school, has been assessed as meeting the standards for qualified teacher status and holds one of the qualifications specified in the Regulations, provided he or she was employed as a teacher at an independent school before 1st September 1989. Broadly, the specified qualifications are degrees and other qualifications approved by the Secretary of State for the purpose of the award of qualified teacher status and obtained before 1st January 1974 and degrees approved by the Secretary of State for the purpose of the award of qualified teacher status and obtained before 1st September 1989. Qualified teacher status may be awarded to such teachers on the recommendation of the head teacher or principal of the independent school at which they are employed, or in the case of the head teacher or principal of an independent school, on the recommendation of the chairman of the school’s governing body, or if none the school’s proprietor — see regulations 5 and 6 (which insert new paragraphs 10 and 12—19 in Schedule 3 to the 1999 Regulations).

Under the amended Regulations further education teachers may now be recommended for qualified teacher status if certain conditions are satisfied. Those conditions are that the teacher is employed as a teacher in a further education institution or as an instructor in a school, has been assessed as meeting the specified standards, holds one of the qualifications specified in Part II of Schedule 3 or a degree, was employed as a teacher at a further education institution before 1st September 1989, holds a Certificate in Education or a Post-Graduate Certificate in Education, and in the opinion of the recommending body has sufficient teaching experience to be able to teach pupils aged 14—19 years — see regulations 5 and 6 (inserting new paragraphs 11 and 12—19 in Schedule 3 to the 1999 Regulations).