

SCHEDULE 3

Regulations 3(2) and 10

QUALIFIED TEACHERS AND TRANSITIONAL
PROVISIONS RELATING TO QUALIFIED TEACHERS

1.—(1) A person shall be a qualified teacher for the purpose of regulation 10 (but subject to regulations 11 to 13)—

- (a) if he was qualified to be employed as a teacher immediately before 1st September 1999 by virtue of Schedule 3 to the 1993 Regulations⁽¹⁾; or
- (b) if, the Assembly being satisfied on or after 1st September 1999 that he is a person mentioned in paragraphs 2 to 9 and, if he is a person mentioned in paragraph 7 or 8, that the statement submitted by the recommending body or, the States of Guernsey Education Council (as the case may be) is correct, he has received written notification from the Assembly that he is a qualified teacher; or
- (c) if he is a qualified teacher under regulations from time to time in force under section 218(2) of the Education Reform Act 1998 in relation to England,

and in the case of a person receiving written notification under paragraph (b) the person shall, subject to sub-paragraphs (2) to (4), be qualified from such date as the Assembly may provide in the notification.

(2) Subject to sub-paragraphs (3) and (4), the Assembly may provide for a person mentioned in paragraphs 2 to 9 to be a qualified teacher from a date not more than one year prior to the date of notification to the extent that that is appropriate having regard to all the circumstances of the case.

(3) In the case of a person mentioned in paragraph 7 or 9, the Assembly shall not provide for the person to be a qualified teacher from a date prior to the date on which the assessment referred to in paragraph 7 or 9 (as the case may be) is completed.

(4) In the case of a person mentioned in paragraph 8, the Assembly shall not provide for the person to be a qualified teacher from a date prior to the date on which he completed the period of service as a teacher licensed by the States of Guernsey Education Council as specified in the statement of the States of Guernsey Education Council.

2.—(1) The person—

- (a) holds a degree or equivalent qualification granted by a United Kingdom institution or an equivalent degree or other qualification granted by a foreign institution; and
- (b) has successfully completed a course of initial training for teachers in schools at an accredited institution in Wales.

(2) For the purposes of this paragraph—

- (a) a “United Kingdom institution” means an institution established in the United Kingdom, other than one which is, or is affiliated to or forms part of, an institution whose principal establishment is outside the United Kingdom, and includes the Council for National Academic Awards;
- (b) a “foreign” institution means any institution other than a United Kingdom institution; and
- (c) an “accredited institution” means an institution accredited by the Higher Education Funding Council for Wales, as a provider of courses satisfying such provisions as to curricula and other criteria as may from time to time be specified by the Assembly.

3. The person has successfully completed a course of initial training for teachers in schools at an educational institution in Scotland or Northern Ireland.

(1) S.I.1993/543; a new Schedule 3 was substituted by S.I. 1997/2679.

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4. The person is registered as a teacher of primary or secondary education with the General Teaching Council for Scotland.

5. The person has been awarded confirmation of recognition as a teacher in schools in Northern Ireland by the Department of Education, Northern Ireland Office, that confirmation not having been subsequently withdrawn.

6. The person is a person who as respects the profession of school teacher, falls within Article 3 of Council Directive 89/48 EEC(2) on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration, as extended by the Agreement of the European Economic Area signed at Oporto on 2nd May 1992(3) as adjusted by the Protocol signed at Brussels on 17th March 1993(4).

7.—(1) Where the person has been granted an authorisation, the recommending body has submitted to the Assembly—

- (a) a recommendation that the person should be awarded qualified teacher status; and
- (b) the statement described in sub-paragraph (2).

(2) The statement is a statement that the person—

- (a) has either—
 - (i) successfully completed service as a graduate teacher or a registered teacher (as the case may be) for the period of the authorisation and has successfully completed the training proposed in the recommendation for an authorisation, or
 - (ii) completed not less than three months' service as a graduate teacher or not less than one year's service as a registered teacher (as the case may be) and has made such progress during his period of service as a graduate teacher or a registered teacher (as the case may be) that in the view of the recommending body he did not need, in the light of that progress, to complete that service for the period of the authorisation before being assessed as referred to in paragraph (b);
- (b) has been assessed by a competent person as meeting the specified standards; and
- (c) holds a first degree or equivalent qualification granted by a United Kingdom institution, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere.

(3) In this paragraph—

- (a) a “competent person” means, in a case where the recommending body is an accredited institution, that institution, and in any other case means the person approved by the Assembly for the purpose of carrying out the assessment referred to in sub-paragraph (2) (b);
- (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Assembly as the standards required of a person who seeks to become a qualified teacher;
- (c) “United Kingdom institution” has the same meaning as in paragraph 2(2)(a).

8. The States of Guernsey Education Council has submitted to the Assembly a recommendation that the person should be awarded qualified teacher status and—

- (a) a statement that he has successfully completed two school years' full-time service or the equivalent period of part-time service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence;

(2) OJ No L19, 24.1.89, p16.

(3) Cm 2073.

(4) Cm 2183.

- (b) a statement that—
 - (i) he has successfully completed not less than one school year's service as a teacher licensed by the States of Guernsey Education Council and the training specified in the licence, and
 - (ii) before the date of commencement of the licence he had attained the age of 24 years, and
 - (iii) before the date of commencement of the licence he had been employed for not less than two years as a teacher or a lecturer at an independent school (including a city college), or an institution or a university in the United Kingdom or as an Instructor or Education Officer in the Armed Forces of the Crown or as an instructor under paragraph 3 of Schedule 2 to the 1993 Regulations or paragraph 3 of Schedule 2 and was not dismissed on grounds other than redundancy; or
- (c) a statement that—
 - (i) he has successfully completed not less than one school term's service as a licensed teacher and the training proposed in the recommendation for a licence, and
 - (ii) before the date of commencement of the licence he had successfully completed either—
 - (aa) a course of at least three years' duration of initial training for teachers in schools at an educational institution outside England and Wales, or
 - (bb) a first degree course and a post-graduate course of initial training for teachers in schools at such an institution (whether or not the same institution), and
 - (iii) he had been employed for not less than one year as a teacher or lecturer in a school, independent school (including a city college), institution or university or other educational establishment either in England or Wales or elsewhere and was not dismissed on grounds other than redundancy.

9.—(1) The person—

- (a) is in the opinion of the Assembly a suitable person to be a teacher at a school;
- (b) has satisfactorily completed a training programme;
- (c) has been assessed by a competent person as meeting the specified standards;
- (d) holds a first degree or equivalent qualification granted by a United Kingdom institution, or a qualification of an equivalent standard thereto granted by an educational institution elsewhere;
- (e) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education;
- (f) where the person was born on or after 1st December 1979 and during his period of training taught pupils aged below 11 years, he has attained in a single science subject or in a combined science subject the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (g) has attained the age of 24 years.

(2) In this paragraph—

- (a) a “competent person” means, in a case where the organiser of the training programme is an accredited institution, that institution, and in any other case means the person approved by the Assembly for the purpose of carrying out the assessment as referred to in sub-paragraph (1)(c);

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- (b) the “specified standards” means the standards, applying as at the time of assessment, specified by the Assembly as the standards required of a person who seeks to become a qualified teacher;
- (c) a “training programme” means a programme of training of not less than three months in a school, other than a pupil referral unit, or in an independent school following an application made by the body that is the organiser of the training to the Assembly which shall include such particulars as the Assembly may determine, and provided the Assembly has approved the programme as a programme leading to qualified teacher status prior to the person’s commencement on it;
- (d) “United Kingdom institution” has the same meaning as in paragraph 2(2)(a).