
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 312

Teachers' (Eligibility) Regulations (Northern Ireland) 1997

Health requirements

7.—(1) An employing authority shall not employ a person as a teacher unless it is satisfied as to his health or physical capacity therefor.

(2) For the purpose of this regulation, where it appears to an employing authority reasonable to do so—

- (a) in the case of the first appointment as a teacher, it may accept the conclusions of an institution providing courses for the initial or further training of teachers;
- (b) in the case of any appointment to employment as a teacher of a person previously employed in such employment, it may rely upon the person's medical record while in that employment.

(3) A person employed as a teacher shall not continue in that employment if his employing authority is satisfied that he has not the health or physical capacity therefor.

(4) For the purpose of this regulation, where it appears to an employing authority that a person may no longer have the health or physical capacity for employment as a teacher, that employing authority—

- (a) may suspend his employment;
- (b) shall afford him an opportunity to submit medical evidence and make representations to it;
- (c) shall consider such evidence and representations, and any other medical evidence available to it, including such evidence which has been furnished on the ground that it would not be in the best interests of the person concerned to see it;
- (d) may require him to submit himself for examination by a medical practitioner appointed by it and if, without good cause, he fails to submit himself for such examination or refuses to make available medical evidence or information sought by the medical practitioner, it may reach a conclusion in the matter on such evidence and information available to it, notwithstanding that further medical evidence may be desirable.

(5) At any time before such medical examination as is referred to in paragraph (4)(d), his employing authority, or the person himself, may submit to the medical practitioner appointed under that paragraph a statement containing evidence or other matter relevant to the examination; and the examination may be attended by any medical practitioner appointed for the purpose by the person being examined.

(6) Paragraph (4) shall have effect without prejudice to the power of a board of governors or principal to suspend a person under Schedule 4 to the Education Reform (Northern Ireland) Order 1989(1).