

SCHEDULE 2

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

PART III

OVERSEAS TRAINED TEACHERS

12.—(1) This paragraph shall apply to a person who is not a qualified teacher but who has been granted an authorisation to teach in accordance with paragraph 13.

(2) Subject to the provision of this Part of this Schedule, such a person may be employed as a teacher in a school.

13.—(1) On the recommendation of the recommending body, acting in the case of a school which has a delegated budget, with the consent of the local education authority, the Secretary of State may grant an authorisation to the person named in that recommendation.

(2) Where the local education authority refuses to give its consent it shall notify the recommending body of its reasons in writing and shall report the facts of the case to the Secretary of State.

14. A recommendation for an authorisation shall contain such particulars as the Secretary of State may determine.

15. Without prejudice to the generality of paragraph 14, a recommendation shall include—

(1) a statement by the recommending body that the person named in the recommendation—

- (a) is in their opinion a suitable person to be a teacher; and
- (b) has attained in English and mathematics the standard required to obtain Grade C in the General Certificate of Secondary Education; and
- (c) has successfully completed either—
 - (i) a first degree course in education at a university or equivalent educational institution outside England and Wales; or
 - (ii) a first degree course at a university or equivalent educational institution in England or Wales or elsewhere, and a post-graduate course of initial training for teachers in schools at a university or equivalent educational institution outside England and Wales (whether or not the same institution); and

(d) has been employed for not less than one year as a teacher or lecturer in a school, independent school, institution or university or other educational establishment either in England or Wales or elsewhere and was not dismissed on grounds other than redundancy;

(2) particulars of the training proposed to be given to the overseas trained teacher;

(3) particulars of the post in which the overseas trained teacher is to be employed or, where the recommending body is a local education authority or is acting with the consent of a local education authority, particulars of his first post or of the posts between which his time will initially be divided, including—

- (a) the name of the school or schools at which he is to be employed;
- (b) the age range of the pupils he is to teach;
- (c) any subject in which he is to specialise;

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- (d) a statement as to whether the teacher is to be employed full-time or part-time and in the latter case his normal working hours.

16.—(1) Subject to sub-paragraph (2) an authorisation shall remain in force—

- (a) in the case of a first authorisation for a full-time post, for two years from the date of its commencement;
- (b) in the case of a first authorisation for a part-time post or a subsequent authorisation (whether for a full-time or part-time post), for such period as may be specified in the authorisation.

(2) An authorisation shall lapse—

- (a) if the overseas trained teacher ceases to be employed by the local education authority which was the recommending body or with whose consent the recommending body acted pursuant to paragraph 13 or
- (b) in the case of an overseas trained teacher who was recommended for an authorisation by the governing body or a grant-maintained school or a special school not maintained by a local education authority ceases to be employed in the post of which particulars are given in the authorisation.

(3) For the purpose of this paragraph “date of commencement” means the date specified in the authorisation as its date of commencement.

17. The recommending body and, in the case of a school which has a delegated budget, the local education authority shall cause the overseas trained teacher to receive during the period of the authorisation the training particulars of which were given in pursuance of paragraph 15(2).

18. When the recommending body has submitted a recommendation to the Secretary of State pursuant to paragraph 13(1), the person named in that recommendation may be provisionally employed as an overseas trained teacher until 14 days after the Secretary of State has notified the recommending body of his decision whether or not to grant the authorisation.

19. Without prejudice to regulation 11, in any case where an authorisation lapses by virtue of paragraph 16(2) the recommending body shall report the facts of the case to the Secretary of State unless they have reported the facts of the case to him in pursuance of the duty imposed by regulation 11.