

**2001 No. 2896**

**EDUCATION, ENGLAND**

**The Education (Teachers' Qualifications and Health Standards) (England) (Amendment No. 2) Regulations 2001**

*Made* - - - - - *10th August 2001*

*Laid before Parliament* *10th August 2001*

*Coming into force* - - *1st September 2001*

In exercise of the powers conferred on the Secretary of State by sections 218(1)(a) and (2) and 232(5) of the Education Reform Act 1998(a) and having consulted the General Teaching Council for England in accordance with section 218(2AA) of that Act, the Secretary of State for Education and Skills hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Teachers' Qualifications and Health Standards) (England) (Amendment No. 2) Regulations 2001 and shall come into force on 1st September 2001.

2. The Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999(b) 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” in relation to a further education institution has the same meaning as in section 90(1) of the Further and Higher Education Act 1992(c);”;

4. After paragraph 4 of Schedule 2 the following paragraph shall be inserted—

**“Teacher trainees who have yet to pass the skills tests**

**4A.—**(1) This paragraph shall apply in the case of an unqualified teacher over the age of 18 years who—

- (a) is required to pass the teacher trainee skills tests in order to satisfy the specified standards in relation to qualifying as a teacher; and
- (b) is a person who would have been notified by the Secretary of State in accordance with paragraph 1(1)(b) of Schedule 3, as being a person mentioned in paragraphs 2, 7 and 9 of Schedule 3, save that he has not passed all the teacher trainee skills tests.

(2) Such a person may be employed as a teacher at a school (other than a pupil referral unit) so that the aggregate period for which he is employed by virtue of this paragraph, by one or more than one authority or body, does not exceed 5 years or such longer period if any as may be approved in his case by the Secretary of State.

---

(a) 1988 c. 40; By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by section 218 are exercisable by the Secretary of State only in relation to England.

(b) S.I. 1999/2166 amended by S.I. 2000/2704, 2001/1209 and 2001/1391.

(c) 1992 c. 13.

- (3) In this paragraph—
- (a) the “specified standards” means the standards applying from time to time as may be specified by the Secretary of State as standards required of a person who seeks to become a qualified teacher.
  - (b) the “teacher trainee skills tests” means the literacy and numeracy teacher trainee skills tests and from 1st May 2002 includes the information and communications technology skills tests as administered by accredited institutions.”.

5. Schedule 3 shall be amended as follows:

- (a) in paragraph 1(1)(b) the words “in paragraphs 2 to 10” shall be substituted with the words “in paragraphs 2 to 10A”;
- (b) in paragraph 1(1)(b) the words “in paragraphs 7, 8 or 10” shall be substituted with the words “in paragraphs 7, 8, 10 or 10A”;
- (c) in paragraph 1(2) the words “in paragraphs 2 to 10” shall be substituted with the words “in paragraphs 2 to 10A”;
- (d) in paragraph 1(3) the words “in paragraphs 7, 9 or 10” shall be substituted with the words “in paragraphs 7, 9, 10 or 10A” each time they occur;
- (e) in paragraph 9, sub-paragraph 9(1)(b) shall be substituted with the following sub-paragraph—
  - “(b) has either—
  - (i) satisfactorily completed a training programme, or
  - (ii) successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognized as such by the competent authority in that country;”;
- (f) after paragraph 10 the following paragraph shall be inserted—

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

- (a) on the date of the recommendation he 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 has been assessed by the recommending authority as meeting the specified standards;
- (c)
  - (i) before 1st January 1974 he obtained qualifications meeting the requirements of paragraph 11, 12, 13, 14, 15, 16 or 17 of Part II of this Schedule, or
  - (ii) before 1st January 1974 he 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 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 was employed as a teacher in a further education institution before 1st September 1989;
- (e) he holds a Certificate in Education or a Post-graduate Certificate in Education; and
- (f) in the opinion of the recommending authority, he 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).”.

10th August 2001

*Stephen Timms*  
Minister of State,  
Department for Education and Skills

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Teachers' Qualifications and Health Standards) (England) Regulations (S.I. 1999/2166), as follows—

A teacher trainee who has satisfied all the specified standards required of a person who seeks to become a qualified teacher save that he has yet to pass the skills tests, may now be employed as an unqualified teacher for an aggregate period of 5 years or such longer period if any as may be approved by the Secretary of State.

Paragraph 9 of Schedule 3 is amended to enable overseas trained teachers who meet the assessment criteria to be awarded qualified teacher status.

Further education teachers may now be recommended for qualified teacher status if the terms of paragraph 10A of Schedule 3 are satisfied. Such a teacher is eligible for qualified teacher status if he is employed as a teacher in a further education institution or as an instructor in a school, he has been assessed as meeting the specified standards, he holds one of the qualifications specified in Part II of Schedule 3 or he holds a degree, he was employed as a teacher at a further education institution before 1st September 1989, he holds a Certificate in Education or a Post-graduate Certificate in Education, and in the opinion of the recommending body he has sufficient teaching experience to be able to teach pupils aged from 14 to 19 years.

£1.75

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited  
under the authority and superintendence of Carol Tullo, Controller of  
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.  
E1560 9/2001 652850 19585

ISBN 0-11-029910-8



9 780110 299105