
STATUTORY INSTRUMENTS

2007 No. 2264

**The Further Education Teachers’
Qualifications (England) Regulations 2007**

Interpretation

2.—(1) In these Regulations—

“the 2001 Regulations” means the Further Education Teachers’ Qualifications (England) Regulations 2001⁽¹⁾;

“ATLS status” means associate teacher learning and skills status awarded by the IfL;

“associate teaching role” means a teaching role that carries significantly less than the full range of teaching responsibilities ordinarily carried out in a full teaching role (whether on a full-time, part-time, fractional, fixed term, temporary or agency basis) and does not require the teacher to demonstrate an extensive range of knowledge, understanding and application of curriculum development, curriculum innovation or curriculum delivery strategies;

“certificated illness or injury” means illness or injury certified by a registered medical practitioner;

“employed” means employed under a contract of employment or a contract for services;

“ERA 1996”⁽²⁾ means the Employment Rights Act 1996;

“full teaching role” means a teaching role that carries the full range of teaching responsibilities (whether on a full-time, part-time, fractional, fixed term, temporary or agency basis) and requires the teacher to demonstrate an extensive range of knowledge, understanding and application of curriculum development, curriculum innovation or curriculum delivery strategies;

“induction period” means an induction period served pursuant to regulations made under section 19 of the Teaching and Higher Education Act 1998⁽³⁾;

“IfL” means the private company limited by guarantee registered at Companies House under the name The Institute for Learning (Post Compulsory Education and Training);

“LLUK” means the private company limited by guarantee registered at Companies House under the name Lifelong Learning UK, which is the Sector Skills Council responsible for the professional development of all those working in the further education sector;

“Preparing to Teach Award” means the Preparing to Teach in the Lifelong Learning Sector Award approved by the Secretary of State;

“process of professional formation” means the post-qualification process by which a teacher demonstrates through professional practice—

- (a) the ability to use effectively the skills and knowledge acquired whilst training to be a teacher; and

(1) [S.I. 2001/1209](#).

(2) [1996 c.18](#). Part VIII was substituted by Part I of Schedule 4 to the Employment Relations Act 1999 (c. 26).

(3) [1998 c.30](#). At the time of making these Regulations the relevant Regulations are [S.I. 2001/2897](#) as last amended by [S.I. 2007/172](#).

(b) the capacity to meet the occupational standards required of a teacher;
 “QTLS status” means qualified teacher learning and skills status awarded by the IfL;
 “QTS” means qualified teacher status awarded by the General Teaching Council for England;
 “sixth form college” means a further education institution principally concerned with the provision of full-time education suitable to the requirements of persons who have not attained the age of 19 years; and

teacher” means a person who provides education at a further education institution under a contract of employment or a contract for services, other than a person who is employed by the institution on an occasional basis to provide updating on current commercial, industrial or professional practice; and “teach” and “teaching” are to be construed accordingly.

(2) A reference in any provision of these Regulations to “equivalent” in relation to any qualification or award is a reference to—

- (a) any other qualification or award which the Secretary of State is satisfied is of equivalent or higher standard than the qualification or award specified in that provision; and is approved by him for the purposes of these Regulations;
- (b) a relevant qualification obtained in an EEA State or Switzerland recognised in accordance with the provisions of Council Directive [92/51/EEC\(4\)](#) and Directive [2005/36/EC\(5\)](#); or
- (c) evidence which demonstrates, to the satisfaction of LLUK, that the person has the necessary skills or experience or both to teach.

(3) Where any provision in these Regulations allows a person to be employed in a particular role for a specified period of time, that period commences when the person is employed in such a role for the first time.

(4) Where any provision in these Regulations allows a person to be employed in a teaching role for a specified period of time, that period is extended to take account of any period when the person is absent from work—

- (a) in exercise of—
 - (i) her right to maternity leave conferred by section 71 or 73 of the ERA 1996(6) or her contract of employment and has the right to return to work by virtue of either of those sections or her contract of employment;
 - (ii) the right to parental leave conferred by section 76 of the ERA 1996;
 - (iii) the right to paternity leave conferred by section 80A, 80AA, 80B or 80BB of the ERA 1996(7); or
 - (iv) the right to adoption leave conferred by section 75A or 75B of the ERA 1996(8);
- (b) because of her pregnancy; or
- (c) because of certificated illness or injury, where the total period of absence from work exceeds 3 months in any period of 12 months.

(4) OJ L 209, 24.7.1992, p24. This Directive as amended has been implemented by the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 2002 (S.I. 2002/2934), as amended by S.I. 2004/1771, 2004/2033, 2005/882, 2006/1718, 2006/3214 and 2007/289. These Regulations apply to a range of professions including further education teachers, for which the Secretary of State is the designated authority.

(5) OJ L 255, 30.9.2005, p22, also implemented by S.I. 2002/2934 as amended.

(6) Sections 71 and 73 were both amended by section 17 of the Employment Act 2002 (c.22) and further amended by paragraphs 31 and 32 of Schedule 1 to the Work and Families Act 2006 (c.18) respectively.

(7) Sections 80A and 80B were inserted by section 1 of 2002 c.22 and sections 80AA and 80BB (which have not, at the time of making these Regulations, been commenced, were inserted by sections 3 and 4 respectively of 2006 c.18.

(8) Sections 75A and 75B were inserted by section 3 of 2002 c. 22 and amended by paragraphs 33 and 34 of Schedule 1 to 2006 c. 18 respectively.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
