

SCHEDULE 2

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

PART 1

GENERAL

Existing unqualified teachers in nursery classes and at nursery schools

1.—(1) This paragraph shall apply in the case of an unqualified teacher whose employment as an assistant teacher at a nursery school or as a teacher of a nursery class was permitted by paragraph 4 of Schedule 4 to the 1982 Regulations and who was so employed immediately before 1st September 1989.

(2) Such a teacher may continue to be employed as he was employed immediately before 1st September 1989.

Student teachers

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

- (a) having been accepted for admission to a course of initial training for teachers in schools at an accredited institution in England or Wales, is awaiting admission to that course; or
- (b) having been admitted to such a course, has failed satisfactorily to complete it by the date of the end of the period ordinarily required therefor but, during the year next following that date, is continuing the course with a view to so completing it within that year.

(2) Such a teacher may be employed as a teacher at a school (other than a pupil referral unit) so, however, that—

- (a) the aggregate period for which he has been employed by virtue of this paragraph, paragraph 2(2) of Schedule 2 to the 1993 Regulations or paragraph 2(2) of Schedule 3 to the 1989 Regulations, by one or more authorities or bodies, does not exceed 2 years or such longer period, if any, as is approved in his case by the Assembly; and
- (b) he is required neither to take responsibility for a class nor to teach a subject which is not also taught by a qualified teacher at the school.

Instructors with special qualifications or experience

3.—(1) This paragraph shall apply in the case of an unqualified teacher appointed, or proposed to be appointed, to give instruction in any art or skill or in any subject or group of subjects (including any form of vocational training) the teaching of which requires special qualifications or experience if, at the time of his appointment—

- (a) the local education authority (in the case of a school which has no delegated budget or a pupil referral unit), the governing body acting with the consent of the local education authority (in the case of a school maintained by a local education authority which has a delegated budget) or the governing body (in the case of a special school not maintained by a local education authority) are satisfied as to his qualifications or, as the case may be, experience; and
- (b) no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

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(2) Such a teacher may be employed at a school to give such instruction as aforesaid, subject to paragraph (3), for such period as no suitable qualified teacher, graduate teacher or registered teacher is available for appointment or to give the instruction.

(3) In the case of such a teacher appointed before 8th April 1982, paragraph (2) shall have effect as if the words “subject to paragraph (3)” to the end were omitted—

- (a) where his appointment was for a specified period, if and so long as that period has not expired; or
- (b) where his appointment was for an unspecified period, if it was not otherwise expressed to be temporary only.

Temporary teachers

4.—(1) Subject to sub-paragraph (2) below, an unqualified teacher may be employed at a school (other than a pupil referral unit) if—

- (a) he has successfully completed a programme of professional training for teachers in any country outside the United Kingdom and which is recognised as such a programme of training by the competent authority in that country; and
- (b) he is employed in any one post at a school (whether by reason of the absence of the holder of that post or otherwise) for periods which do not exceed four months in total.

(2) This paragraph shall not apply in the case of an unqualified teacher after the expiry of a period of two years commencing with the day on which he is first employed as a teacher at a school.