
STATUTORY INSTRUMENTS

1993 No. 2732 (S.254)

EDUCATION, SCOTLAND

**The Teachers (Education, Training and Recommendation
for Registration) (Scotland) Regulations 1993**

Made - - - - *28th October 1993*
Laid before Parliament *11th November 1993*
Coming into force - - *2nd December 1993*

The Secretary of State in exercise of the powers conferred upon him by section 7(1) and (2) of the Teaching Council (Scotland) Act 1965(1) and of all other powers enabling him in that behalf—

- (i) after consultation under section 7(2)(c) of that Act with the General Teaching Council for Scotland regarding the functions conferred on the Council by the following Regulations;
- (ii) having afforded to the Council, in accordance with section 7(5) of that Act, an opportunity of considering a draft of the Regulations and having had regard to representations made by them; and
- (iii) having caused a draft of the Regulations to be published and having sent a copy thereof to every education authority in accordance with section 7(8A) of that Act and having had regard to any representations made by them or by any person interested,

hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Teachers (Education, Training and Recommendation for Registration) (Scotland) Regulations 1993 and shall come into force on 2nd December 1993.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“course” means a course of education and training provided by a relevant institution and intended to lead to the award of a teaching qualification;

“governing body” has the same meaning as in section 56(1) of the Further and Higher Education (Scotland) Act 1992(2);

(1) 1965 c. 19; section 7 was amended by the Education (Scotland) Act 1969 (c. 49), Schedule 2, Part II, paragraph 2 and by the Further and Higher Education (Scotland) Act 1992 (c. 37), section 55.
(2) 1992 c. 37.

“principal” shall mean, as regards a relevant institution which does not have as its sole or main activity the provision of courses for the education and training of teachers, the person responsible to the principal of the institution for administering such courses;

“teaching qualification” means a qualification awarded in accordance with regulation 5(1); and

“the 1967 Regulations” means the Teachers (Education, Training and Registration) (Scotland) Regulations 1967(3).

(2) In these Regulations, unless the context otherwise requires, any reference to a regulation is a reference to a regulation of these Regulations.

Admission to courses

3.—(1) A person shall not be admitted to a course—

- (a) unless he satisfies the requirements for admission determined by the Secretary of State(4) after consultation with the Council;
- (b) where the principal of the relevant institution providing the course is of the opinion that the applicant should not be admitted on grounds of personal unsuitability as a teacher; or
- (c) where the applicant fails to satisfy the medical officer of that relevant institution that, in accordance with directions given by the Council, he is medically fit to teach.

(2) Where admission is refused under sub paragraph (b) or (c) of paragraph (1) the applicant may, within one month of the date on which the decision is intimated to him, appeal to the governing body of the relevant institution providing the course, whose decision shall be final.

Courses

4.—(1) A course shall be of such duration as the Secretary of State after consultation with the Council may determine and different durations may be determined for different courses.

(2) A course shall be approved as regards its content and nature by the Secretary of State, after consultation with the Council(5).

(3) Approval under paragraph (2) shall have effect for such period as the Secretary of State may determine and may be withdrawn by him after consultation with the Council.

(4) Approval under paragraph (2) may be given for the purpose of award of any one of the three categories of teaching qualification specified in regulation 5(1) and in the case of a Teaching Qualification (Secondary Education) or a Teaching Qualification (Further Education) may be given for the purpose of award of a qualification to teach a particular subject or subjects.

(5) Such part of a course as consists of instruction in the theory, methods and practice of teaching shall be taught only by registered teachers, except where—

- (a) it is taught by a person who was not a registered teacher when appointed to a teaching post before 1st September 1986, has remained in a teaching post since that date, and has not at any time since that date been a registered teacher;
- (b) it is taught by a person appointed to a teaching post in accordance with regulation 25(5) of the Colleges of Education (Scotland) Regulations 1987(6); or

(3) S.I.1967/1162; as amended by S.I. 1991/2921.

(4) Requirements are published annually by H.M.S.O. in the “Memorandum on Entry Requirements to Courses of Teacher Training in Scotland”.

(5) The Secretary of State’s present general policy as to the content and nature of courses leading to a Teaching Qualification (Primary Education) or a Teaching Qualification (Secondary Education) is contained in “Guidelines for Teaching Training Courses” published by the Scottish Office Education Department in January 1993. These Guidelines are revised from time to time. They are available on request from the Department at New St Andrew’s House, Edinburgh.

(6) S.I. 1987/309.

- (c) the governing body with consent of the Council determine in a particular case that teaching by a person who is not a registered teacher is appropriate.

(6) In paragraph (5)–

“registered teacher” means a person registered other than provisionally in the category of primary or secondary education by the Council under section 6 of the Teaching Council (Scotland) Act 1965 and, in relation to a course intended to lead to the award of a Teaching Qualification (Further Education), includes also a person so registered in the category of further education; and

“teaching post” means a post in (before 16th May 1992) a college of education or (on and after 16th May 1992) a relevant institution being a post the duties of which include instruction of persons engaged in a course of training to be a teacher or a course of further training for teachers.

Award of teaching qualification

5.—(1) Where a person has performed the work of a course which complies with the requirements of regulation 4 and satisfied the examiners in any examinations or assessments relevant to that course the degree, diploma or certificate awarded to him shall constitute–

- (a) a Teaching Qualification (Primary Education) being a qualification to teach in primary schools or departments; or
- (b) a Teaching Qualification (Secondary Education) being a qualification to teach a subject or subjects in secondary schools or departments; or
- (c) a Teaching Qualification (Further Education) being a qualification to teach a subject or subjects in educational establishments providing further education,

where the course was approved under regulation 4(2) for the purpose of award of such a qualification.

(2) A teaching qualification shall state the date from which it is effective and a Teaching Qualification (Secondary Education) and a Teaching Qualification (Further Education) shall state the subject or subjects to which it relates.

Requirements for recommendation for registration

6. In order to be recommended by the governing body of a relevant institution for registration as a teacher by the Council, a person–

- (a) shall hold one or more teaching qualifications awarded following a course provided by that institution; and
- (b) shall satisfy–
 - (i) the principal of that institution that he shows promise of success as a teacher; and
 - (ii) the medical officer of that institution that, in accordance with directions given by the Council, he is medically fit to teach.

Revocation and transitional provisions

7.—(1) The 1967 Regulations and the Teachers (Education, Training and Registration) (Scotland) Amendment Regulations 1991(7) are hereby revoked.

(2) A course which before the coming into force of these Regulations complied with the requirements of the 1967 Regulations and which had been approved by the Secretary of State under

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

regulation 7(c) of the Grant-aided Colleges (Scotland) Grant Regulations 1989⁽⁸⁾ shall be deemed to have been approved under regulation 4(2) until the date for expiry of approval specified in the approval by the Secretary of State or until 30th June 1995 if sooner; but such deemed approval may be withdrawn under regulation 4(3).

(3) For the purpose of regulation 5, a person's following before the coming into force of these Regulations a course which complied with the requirements of the 1967 Regulations shall be treated as following a course which complies with the requirements of regulation 4.

St Andrew's House,
Edinburgh
28th October 1993

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

⁽⁸⁾ S.I. 1989/433, amended by S.I. 1993/489 which revoked regulation 7(c).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision as to the admission of students to courses of education and training leading to teaching qualifications in Scotland, as to the requirements which such courses must satisfy, as to the teaching qualifications which may be awarded, and as to the recommendation of persons so qualified for registration by the General Teaching Council for Scotland (“the Council”). They supersede the Teachers (Education, Training and Registration) (Scotland) Regulations 1967.

Regulation 3 prescribes the conditions for admission to a course. The applicant must satisfy the requirements for admission laid down by the Secretary of State after consultation with the Council. He can be refused admission on grounds of personal unsuitability as a teacher or medical unfitness to teach.

Regulation 4 prescribes the requirements which a course must satisfy. It must be of such duration as the Secretary of State may determine, after consulting the Council. It must be approved as regards its content and nature by the Secretary of State, after consulting the Council. Instruction in the theory, methods and practice of teaching must be given by teachers registered with the Council, subject to prescribed exceptions.

Regulation 5 provides for the award of teaching qualifications to persons who have successfully completed courses.

Regulation 6 prescribes the conditions for a person to be recommended by the governing body of the training institution for registration by the Council. He must not only hold a teaching qualification but also satisfy the principal that he shows promise of success as a teacher and the medical officer that he is medically fit to teach.

Regulation 7 revokes the 1967 Regulations and relevant amending Regulations and makes transitional provisions.