

2004 No. 38

EDUCATION

**The General Teaching Council for Northern Ireland
(Registration of Teachers) Regulations
(Northern Ireland) 2004**

Made - - - - - 9th February 2004

Coming into operation 5th April 2004

The Department of Education, in exercise of the powers conferred on it by Articles 35(1) and (2), 36(1), (3), (4), and (5) and 40(3) and 90(3) of the Education (Northern Ireland) Order 1998(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**PART I
INTRODUCTION**

Citation and commencement

1. These Regulations may be cited as the General Teaching Council for Northern Ireland (Registration of Teachers) Regulations (Northern Ireland) 2004 and shall come into operation on 5th April 2004.

Interpretation

2. In these Regulations –

“the 1998 Order” means the Education (Northern Ireland) Order 1998;

“equivalent General Teaching Council” means the General Teaching Council for England, the General Teaching Council for Wales or the General Teaching Council for Scotland;

“qualified teacher” means a teacher who has such qualifications as are approved by the Department under regulation 5 of the Teachers (Eligibility) Regulations (Northern Ireland) 1987(b);

“the register” means the register of teachers which the Council are required to establish and maintain in accordance with Article 35 of the 1998 Order and these Regulations, and “registration” shall be construed accordingly;

(a) S.I. 1998/1759 (N.I. 13) as amended by the Education and Libraries (Northern Ireland) Order 2003 (S.I. 2003/424 (N.I. 12)), Article 35
(b) S.R. 1987 No. 266

“registered teacher” means a person for the time being registered under Article 35 of the 1998 Order.

PART II

REGISTRATION OF TEACHERS

Disqualification from registration

3. For the purposes of Article 35 of the 1998 Order, a person is not eligible for registration if he is not eligible to teach, or disqualified from being a teacher in any school, by virtue of –

- (a) section 3(3)(d) of the Teaching and Higher Education Act 1998(a);
- (b) section 11 of the Teaching Council (Scotland) Act 1965(b);
- (c) the Teachers’ (Eligibility) Regulations (Northern Ireland) 1997(c); or
- (d) regulations made under Article 36 of the 1998 Order.

Applications for registration

4.—(1) An application for registration shall include –

- (a) the teacher number assigned to the applicant by the Department of Education;
- (b) the applicant’s full name;
- (c) the applicant’s date of birth;
- (d) the applicant’s home address or other contact address; and
- (e) the date on which the applicant qualified as a teacher.

(2) The Council may make further provision as to–

- (a) the form and manner in which applications for registration are to be made; and
- (b) the documentary and other evidence which is to accompany applications for registration.

Registration on establishment of the register

5.—(1) On the establishment of the register, the Council may register persons eligible for registration who have not made applications for registration.

(2) The Council shall send written confirmation of their registration to all persons registered under paragraph (1).

(3) The Council shall upon request provide free of charge a copy of the information recorded on the register against the name to a person registered under paragraph (1), if that person so requests.

Content of register

6.—(1) There shall be recorded in the register against the names of those registered in it the matters listed in Schedule 1 for such period (if any) as is specified in that Schedule.

(2) The Council may make provision as to additional matters to be recorded in the register.

Division of register into separate parts

7. The Council may make provision as to the division of the register into separate parts.

(a) 1998 c. 30
(b) 1965 c. 19. (Section 11 was amended by Section 50 of the Standards in Scotland’s Schools etc (Scotland) Act 2000
(c) S.R. 1997 No. 312

Amending entries on the register

8. The Council may make provision as to the restoration and alteration of entries on the register, and the transfer of entries between different parts of the register.

Charging of registration fees

9. The Council may make provision –
- (a) to charge a fee fixed by it with the approval of the Department in respect of
 - (i) applications for registration or for the restoration of entries to the register; and
 - (ii) the retention of entries in the register;
 - (b) for there to be exceptions where fees are not charged; and
 - (c) for it to refuse an application for registration until the appropriate fee has been paid.

Removal of entries from the register

10. The Council may make provision as to the removal of entries from the register where the persons concerned have ceased to be eligible for registration, have failed to pay a registration fee, or otherwise.

Issue and form of certificates of registration

11. The Council may make provision as to the issuing of certificates of registration to registered teachers, and as to the form of such certificates.

Public access to the register

12.—(1) The Council may, on request, inform a member of the public whether or not a person is a registered teacher.

(2) The Council may publish the names of teachers on the register in such a manner as the Council may determine.

PART III

SUPPLY OF INFORMATION

Supply of information to teachers

13.—(1) The Council shall supply a registered teacher, at his request, with a copy of the information entered on the register against his name.

(2) The Council shall supply a person about whom it maintains records in accordance with Article 35 of the 1998 Order, at his request, with a copy of such records as it maintains about him pursuant to that Order.

Supply of information to employers or prospective employers

14.—(1) Subject to paragraph (6) the Council shall if requested by an employer or prospective employer to whom this paragraph applies of –

- (a) a registered teacher; or
- (b) an unregistered person about whom it maintains records in accordance with an order made under Article 38(3) of the 1998 Order,

supply that employer or prospective employer with the information set out in Schedule 2 in respect of the teacher or person concerned.

- (2) Paragraph (1) applies to an employer or prospective employer who is –

- (a) an Education and Library Board;
- (b) the Council for Catholic Maintained Schools;
- (c) the Board of Governors of a voluntary school or a grant-maintained integrated school;
- (d) the proprietor of an independent school;
- (e) an institution within the higher education sector;
- (f) an institution within the further education sector; or
- (g) an employment agency supplying teachers.

(3) In relation to a person appointed or being considered for appointment as a teacher at a school maintained or assisted by the Ministry of Defence, the Ministry of Defence shall be treated as an employer to whom paragraph (1) applies.

(4) An employer or prospective employer to whom paragraph (1) applies or is to be treated as such employer or prospective employer shall not disclose information supplied under this regulation to any person other than the teacher or person to whom the information relates.

(5) Paragraph (4) does not prevent an Education and Library Board or the Council for Catholic Maintained Schools from disclosing information supplied to either of them under this regulation to the governing body of the school at which the person concerned is or is proposed to be employed.

(6) Information may only be supplied under this regulation for reasons relating to a person's employment or prospective employment as a teacher.

(7) The supply of any information under paragraph (1) shall be subject to the condition that the information is only to be used for the purposes of ascertaining the suitability of the teacher or unregistered person for employment or continued employment (as the case may be).

Supply of information to equivalent General Teaching Councils

15.—(1) The Council shall on request supply the information set out in Schedule 2 in relation to –

- (a) a registered teacher; or
- (b) an unregistered person about whom it maintains records in accordance with an order under Article 38(3)

to an equivalent General Teaching Council.

(2) Information may only be supplied pursuant to paragraph (1) on condition that an equivalent General Teaching Council shall not disclose the information under this regulation to any person other than the teacher or person to whom the information relates.

Sealed with the Official Seal of the Department of Education on 9th February 2004.

(L.S.)

C. Jendoubi (Mrs)

A Senior Officer of the Department of Education

SCHEDULE 1

Regulation 6(1)

MATTERS TO BE RECORDED IN THE REGISTER AGAINST A TEACHER'S NAME

1. The reference number assigned to the teacher by the Department of Education.
2. Title (Mr/Mrs/Ms/Miss/Dr etc).
3. Whether the teacher is male or female.
4. The teacher's date of birth.
5. Where applicable, any name by which the teacher was formerly known.
6. If known, the racial group into which the teacher falls, within the meaning of Article 5 of the Race Relations (Northern Ireland) Order 1997(a).
7. If known, whether the teacher is disabled within the meaning of section 1 of the Disability Discrimination Act 1995(b).
8. The teacher's home address or other contact address, and if known his telephone number, facsimile number and electronic mail address.
9. The teacher's national insurance number.
- 10.—(1) If known, where the teacher is employed as a teacher –
 - (a) the name, address, telephone and facsimile numbers and electronic mail address of the school at which he is employed to teach;
 - (b) details of the type of school at which he is employed to teach and the name of the employing authority;
 - (c) whether the employment is full-time or part-time;
 - (d) the post held by the teacher; and
 - (e) the date on which he took up his current post.(2) If known, where the teacher is not currently employed as a teacher, the date on which he was last so employed, and the details specified in sub-paragraph (1)(a) to (e) in relation to his most recent teaching post.
11. If known, if the teacher is retired, on a career break, unemployed or employed otherwise than as a teacher.
12. Where the teacher has successfully completed a course for the initial training of teachers –
 - (a) the name of the institution providing the course;
 - (b) the title or description of the course;
 - (c) the body by which it was accredited;
 - (d) the class of the qualification;
 - (e) the main subject and subsidiary subjects studied by the teacher;
 - (f) the ages of pupils the course was designed to prepare the teacher to teach; and
 - (g) the dates on which the course was started and was completed.
13. Where the teacher holds a degree or equivalent qualification, other than by successfully completing a course for the initial teacher training of teachers –
 - (a) its title;
 - (b) the class of the degree or qualification;
 - (c) its subject;
 - (d) the date of its award; and
 - (e) the name of the institution by which it was awarded.
14. The date on which the teacher qualified as a teacher.

(a) S.I. 1997/869 (N.I. 6)

(b) 1995 c. 50

15. If known, the date on which the teacher took up his first post as a qualified teacher.

16. If known, particulars of any qualification held by the teacher for teaching the visually or hearing impaired pupils or any other academic or professional qualification held by the teacher, including any professional qualification in relation to being a principal.

17.—(1) Where the teacher has successfully completed an induction period –

- (a) the date on which he started his induction period;
- (b) the date on which he completed his induction period;
- (c) the name of the school that certified the completion of induction.

(2) Where the teacher has not successfully completed induction, the reason for not doing so.

18.—(1) Where the teacher has successfully completed early professional development –

- (a) the date on which he started his early professional development;
- (b) the date on which he completed his early professional development; and
- (c) the name of the school that certified the completion of early professional development.

(2) Where the teacher has not successfully completed early professional development, the reason for not doing so.

19. If known, an indication of whether the teacher is paid on the upper pay scale as determined by the Department from time to time under Article 69(1) and (6) of the Education and Libraries (Northern Ireland) Order 1986(a).

20. The category in which the teacher may vote for the election of elected members to the Council pursuant to an electoral scheme under regulation 6 of the General Teaching Council for Northern Ireland (Constitution) Regulations (Northern Ireland) 2001(b).

21. The terms of any restriction for the time being in force in relation to the teacher under regulations made under Articles 70(1) and (2)(c) and 134(1) of the 1986 Order(d).

22. The terms of any restriction for the time being in force in relation to the teacher as a result of disciplinary action taken by an equivalent General Teaching Council.

23. The terms of any disciplinary order, other than a reprimand, for the time being in force, made by an equivalent General Teaching Council.

24. The terms of any reprimand issued by an equivalent General Teaching Council, for a period of two years from the date the reprimand was issued.

25. An indication of whether the teacher has paid his registration fee.

26. If applicable, an indication that the teacher has retired under regulation E4(4) of the Teachers' Superannuation Regulations (Northern Ireland) 1998(e).

SCHEDULE 2

Regulations 14(1) and 15(1)

INFORMATION TO BE SUPPLIED TO EMPLOYERS AND THE EQUIVALENT GENERAL TEACHING COUNCILS

1. Whether or not the teacher is registered.
2. Whether or not the teacher is a qualified teacher.

(a) Article 69 was substituted by Article 42 of S.I. 1993/2810 (N.I. 12)

(b) S.R. 2001 No. 288

(c) Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2) and Article 70(1) was amended by Article 42(2) of S.I. 1993/2810 (N.I. 12)

(d) As amended by Article 50(1) of and Part II of Schedule 4 to S.I. 1993/2810 (N.I. 12)

(e) S.R. 1998 No. 333

3. The date on which the teacher qualified as a teacher.
4. Where the teacher has successfully completed a course for the initial training of teachers -
 - (a) the name of the institution providing the course;
 - (b) the title or description of the course;
 - (c) the main subject and subsidiary subjects studied by the teacher;
 - (d) the ages of pupils the course was designed to prepare the teacher to teach; and
 - (e) the dates on which the course was started and was completed.
5. Where the teacher holds a degree or equivalent qualification, other than by successfully completing a course for the initial training of teachers -
 - (a) its title;
 - (b) the class of the degree or qualification;
 - (c) its subject;
 - (d) the date of its award; and
 - (e) the name of the institution by which it was awarded.
6. If known, the date on which the teacher took up his first post as a qualified teacher.
7. If known, particulars of any qualification held by the teacher for teaching the visually or hearing impaired pupils or any other academic or professional qualification held by the teacher, including any professional qualification in relation to being a principal.
 - 8.—(1) Where the teacher has successfully completed an induction period -
 - (a) the date on which he started his induction period;
 - (b) the date on which he completed his induction period;
 - (c) the name of the school that certified the completion of induction.
 - (2) Where the teacher has not successfully completed induction, the reason for not doing so.
- 9.—(1) Where the teacher has successfully completed early professional development -
 - (a) the date on which he started his early professional development;
 - (b) the date on which he completed his early professional development; and
 - (c) the name of the school that certified the completion of early professional development.
- (2) Where the teacher has not successfully completed early professional development, the reason for not doing so.
10. If known, an indication of whether the teacher is paid on the upper pay scale as determined by the Department from time to time under Article 69(1) and (6) of the Education and Libraries Order 1986.
11. The terms of any restriction for the time being in force in relation to the teacher under regulations made under Articles 70(1) and (2) and 134(1) of the 1986 Order.
12. The terms of any restriction for the time being in force in relation to the teacher as a result of disciplinary action taken by an equivalent General Teaching Council.
13. The terms of any disciplinary order, other than a reprimand, for the time being in force, made by an equivalent General Teaching Council.
14. The terms of any reprimand issued by an equivalent General Teaching Council, for a period of two years from the date the reprimand was issued.
15. If applicable, an indication that the teacher has retired under regulation E4(4) of the Teachers' Superannuation Regulations (Northern Ireland) 1998.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations relate to the functions of the General Teaching Council for Northern Ireland, a body corporate established by Article 34 of the Education (Northern Ireland) Order 1998 (“the 1998 Order”) with the aims of contributing to improving the standards of teaching and the quality of learning and maintaining and improving the standards of professional conduct amongst teachers in the public interest.

Article 35 of the 1998 Order confers on the Council the function of establishing and maintaining a register of teachers. Part II of these Regulations makes provision as to the form and manner in which the register is to be kept, and other matters relating to registration. Part II also prescribes circumstances additional to those set out in Article 35 of the 1998 Order in which teachers are ineligible for registration. Schedule 1 sets out the matters to be recorded in the register against a teacher’s name.

Part III requires the Council to supply copies of information held about them to registered teachers and other persons such as qualified teachers who are not registered about whom the Council holds records and requires the Council to supply the information set out in Schedule 2 to employers and prospective employers of teachers and to the General Teaching Council for England, the General Teaching Council for Wales and the General Teaching Council for Scotland.

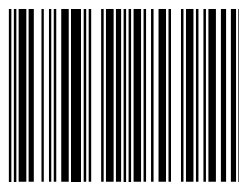
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