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## EXPLANATORY NOTE

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

These Regulations concern the requirements to be met by education authorities in employing teachers in the course of discharging their duty under section 1 of the Education (Scotland) Act 1980, as amended, and section 2(1) of the Standards in Scotland 213 s Schools etc Act 2000. Section 1 of the 1980 Act requires education authorities to secure for their area adequate and efficient provision of school education. Section 2(1) of the 2000 Act requires education authorities where education is provided by them to secure that the education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential.

Regulation 3 requires education authorities to employ adequate numbers of teachers, with appropriate professional skills and knowledge.

Regulation 4 provides that only registered teachers may be employed as teachers by an education authority. It also makes provision in relation to such teachers whose registration has been marked as suspended.

Without prejudice to regulations 3 and 4, where an education authority employ a teacher wholly or mainly to teach pupils who are hearing impaired, visually impaired or both hearing and visually impaired, regulations 5, 6 and 7 require that teacher to possess an appropriate qualification to teach such pupils.

Regulation 8 gives an education authority the power to employ a teacher wholly or mainly to teach pupils who are hearing impaired, visually impaired or both hearing and visually impaired who does not hold the appropriate qualification, provided that the authority are satisfied that the teacher is in the process of obtaining the necessary qualification and the period of teaching without the qualification does not exceed 5 years in total.

Regulation 9 provides that those teachers who immediately before 30th September 2005 hold the specialist qualification required under regulation 7(1) and (2) of the Schools (Scotland) Code 1956 shall be treated as possessing the necessary qualification referred to in regulations 5 or 6, as the case may be.

Regulation 10 applies the general requirements relating to the employment of teachers found in regulations 3 and 4, to Jordanhill School, Glasgow.

Regulation 11 removes references in the grant regulations applicable to Jordanhill School to the Schools (Scotland) Code 1956.

The Schools (Scotland) Code 1956 as amended related to the organisation and management of schools. Incrementally repealed over the years, only a number of its regulations remained in force and which themselves became outdated. Regulation 12 and the Schedule revoke the Schools (Scotland) Code 1956 as amended.