
STATUTORY INSTRUMENTS

2003 No. 1963

School Staffing (England) Regulations 2003

PART 1

General

Interpretation

3.—(1) In these Regulations—

“the 1998 Act” means the School Standards and Framework Act 1998;

“the 2002 Act” means the Education Act 2002;

“authority” means the local education authority by which a maintained school is, or a proposed school is to be, maintained;

“dismissal” is to be interpreted in accordance with sections 95 and 136 of the Employment Rights Act 1996⁽¹⁾;

“support staff” means any member of a school’s staff other than a teacher;

“teacher” means a person who is a school teacher for the purposes of section 122 of the 2002 Act and includes a person who would be regarded as a teacher but for the fact the other party to the contract is not an authority or a governing body of a school falling within Part 3 of these Regulations.

(2) References to a vacancy in any post include a prospective vacancy in the post.

(3) A person is to be treated as meeting any staff qualification requirements if he—

(a) fulfils any requirements with respect to qualifications or registration which apply to him as a result of regulations made under sections 132 to 135 of the 2002 Act⁽²⁾ and regulations made under section 19 of the Teaching and Higher Education Act 1998⁽³⁾,

(b) meets any conditions with respect to health and physical capacity which apply to him as a result of Part 3 of the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999⁽⁴⁾ or regulations made under section 141 of the 2002 Act, and

(c) is not subject to any direction made under section 142 of the 2002 Act, that he may not carry out work to which that section applies.

(4) References to support staff include support staff employed, or engaged otherwise than under a contract of employment, to provide community facilities and services under section 27 of the 2002 Act.

(1) 1996 c. 18.

(2) The Education (School Teachers' Qualifications) (England) Regulations 2003, S.I.2003/1662 and The Education (Specified Work and Registration) (England) Regulations 2003, S.I. 2003/1663 and any regulations made under section 135 of the 2002 Act.

(3) 1998 c. 30; the Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001, S.I. 2001/2897 as amended by S.I. 2001/3938, S.I. 2002/2063 and S.I. 2003/106.

(4) S.I 1999/2166. These Regulations are saved by the Education Act 2002 (Commencement No.6 and Transitional and Saving Provisions) Order 2003, S.I. 2003/1667 (C.69).

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