

2005 No. 1740

EDUCATION, ENGLAND

**The Education (Induction Arrangements for School Teachers)
(Consolidation) (England) (Amendment) Regulations 2005**

Made - - - - - *29th June 2005*

Laid before Parliament *11th July 2005*

Coming into force - - - *1st September 2005*

In exercise of the powers conferred on the Secretary of State by sections 19 and 42(6) and (7) of the Teaching and Higher Education Act 1998(a), the Secretary of State for Education and Skills hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Induction Arrangements for School Teachers) (Consolidation) (England) (Amendment) Regulations 2005 and shall come into force on 1st September 2005.

2. The Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001(b) are amended as follows—

- (a) in regulation 3—
 - (i) after the definition of “the 1998 Act” insert—
 - ““the 1999 Qualifications Regulations” means the Education (Teachers’ Qualifications and Health Standards) (England) Regulations 1999(c);
 - “the 2002 Act” means the Education Act 2002(d);
 - “the 2003 Qualifications Regulations” means the Education (School Teachers’ Qualifications) (England) Regulations 2003(e);”;
 - (ii) omit the definition of “core subject”;
 - (iii) omit the definition of “foundation subject”;
 - (iv) in the definition of “key stage”, for “section 355(1) of the 1996 Act” substitute “section 82(1) of the 2002 Act”;
- (b) in regulation 8(3)(a), for “includes all the core and other foundation subjects specified in relation to the third and fourth key stages in section 354(2) of the 1996 Act” substitute “includes the relevant programme of study specified under section 84 or 85 of the 2002 Act(f) in relation to every core or other foundation subject”;

(a) 1998 c. 30; section 19 was amended by the Learning and Skills Act 2000 (c. 21), particularly section 139, and by the Education Act 2002 (c. 32). By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by sections 19 and 42 are exercisable by the Secretary of State only in relation to England.

(b) S.I. 2001/2897; amended by S.I. 2001/3938, S.I. 2002/2063, S.I. 2003/106 and S.I. 2003/2148.

(c) S.I. 1999/2166; relevant amending instruments are cited in later footnotes.

(d) 2002 c. 32.

(e) S.I. 2003/1662.

(f) Section 85 was amended by S.I. 2003/2946.

- (c) in regulation 8(3)(b), for “section 353 of the 1996 Act (the National Curriculum), other than the requirements of paragraph (c) of that section (assessment arrangements)” substitute “section 84 of the 2002 Act other than the requirements in relation to assessment arrangements”;
- (d) in regulation 10, renumber the second of the two paragraphs numbered (4) as paragraph (5)(a);
- (e) for paragraph 16 of Schedule 2(b), substitute—
 - “16. A person who is a qualified teacher who became so qualified by virtue of—
 - (a) paragraphs 1(1)(b) and 10 of Schedule 3 to the 1999 Qualifications Regulations(c); or
 - (b) regulation 5 of, and paragraph 12 of Schedule 2 to, the 2003 Qualifications Regulations.”;
- (f) for paragraph 17(c) of Schedule 2, substitute—
 - “(c) is a qualified teacher who became so qualified on or after 26th April 2001 by virtue of—
 - (i) paragraph 1(1)(b) and paragraph 7, 7A or 9 of Schedule 3 to the 1999 Qualifications Regulations(d); or
 - (ii) regulation 5 of, and paragraph 9 or 10 of Schedule 2 to, the 2003 Qualifications Regulations; and”;
- (g) for paragraph 18 of Schedule 2(e), substitute—
 - “18. A person who is a qualified teacher who became so qualified by virtue of—
 - (a) paragraphs 1(1)(b) and 10A of Schedule 3 to the 1999 Qualifications Regulations(f); or
 - (b) regulation 5 of, and paragraph 13 of Schedule 2 to, the 2003 Qualifications Regulations.”; and
- (h) after paragraph 19 of Schedule 2, insert the following paragraph—
 - “20. A person who, by virtue of paragraph 17, 18 or 20 of Schedule 1 to the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003(g), may be employed as a teacher in a relevant school in Wales without having satisfactorily completed an induction period.”.

29th June 2005

Jacqui Smith
Minister of State
Department for Education and Skills

(a) The first of the two paragraphs numbered (4) was inserted by, and the second of the two was amended by, S.I. 2003/2148.
 (b) Paragraph 16 of Schedule 2 was amended by S.I. 2003/2148.
 (c) Paragraph 10 of Schedule 3 was inserted by S.I. 2000/2704.
 (d) Paragraph 7 of Schedule 3 was amended by S.I. 2001/1391 and S.I. 2002/1434; paragraph 7A was inserted by S.I. 2002/1434; and paragraph 9 was amended by S.I. 2001/2896.
 (e) Paragraph 18 of Schedule 2 was amended by S.I. 2003/2148.
 (f) Paragraph 10A of Schedule 3 was inserted by S.I. 2001/2896.
 (g) S.I. 2003/543 (W. 77); paragraphs 17 and 18 of Schedule 1 were amended by S.I. 2004/1745 (W. 184); paragraph 20 was inserted by S.I. 2004/872 (W. 87) and then amended by S.I. 2004/1745.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001 (S.I. 2001/2897). The amendments—

- (a) replace and supplement references to legislative provisions that have been repealed or revoked with references to the replacement provisions in the Education Act 2002 and Regulations made under that Act;
- (b) rectify the incorrect paragraph numbering in regulation 10 that was due to amendments made to the Regulations by S.I. 2003/2148 (regulation 2(d));
- (c) substitute references to exemptions in the Welsh Induction Regulations (S.I. 2003/543) covering certain persons who became qualified teachers in Wales for references to the Regulations by virtue of which those persons became qualified teachers (regulation 2(e) to (h)); and
- (d) provide that an overseas-trained teacher is exempt from the requirement to serve induction if he has, amongst other things, satisfied the requirements of an employment-based teacher training scheme (regulation 2(f) and (h)).

STATUTORY INSTRUMENTS

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