
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the School Staffing (England) Regulations 2009 (“the 2009 Regulations”). They insert a new regulation which requires the governing body of a maintained school to confirm whether or not a member of the teaching staff at that school has, within the last two years, been the subject of capability procedures (that is to say, procedures established in accordance with regulation 8 of the 2009 Regulations for dealing with lack of capability on the part of staff at the school), and, if so, provide details, if asked to do so by the governing body of a maintained school, or the proprietor of an Academy School, to which that person has applied for a teaching post. These Regulations also amend regulation 4 of the 2009 Regulations to allow a governing body, in accordance with that regulation, to delegate the performance of the function conferred on it by new regulation 8A.

An impact assessment has not been prepared for these Regulations because no impact on the private or voluntary sector is foreseen.