

EXPLANATORY MEMORANDUM TO
THE EDUCATION (SCHOOL TEACHERS' PRESCRIBED
QUALIFICATIONS, ETC) (AMENDMENT) ORDER 2012

2012 No. 694

1. This explanatory memorandum has been prepared by the Department for Education (“DfE”) and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**

2.1 This Order makes amendments arising from the abolition of the Training and Development Agency for Schools (“TDA”) and the General Teaching Council for England (“GTCE”). It also removes reference to the information, communications and technology (“ICT”) skills test, reflecting that it will no longer be a requirement for trainee teachers to pass this in order to become a qualified teacher in England.

3. **Matters of special interest to the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments**

3.1 None.

4. **Legislative Context**

4.1 The Education Act 2011, amongst other things, abolishes the TDA and GTCE from 1st April 2012, and this Order makes amendments to the Education (School Teachers’ Prescribed Qualifications, etc) Order 2003 (SI 2003/1709) (“the 2003 Order”) relating to this.

4.2 The Order also removes a reference to the information, communications and technology skills test, the successful passing of which will no longer be a requirement to becoming a qualified teacher in England.

5. **Territorial Extent and Application**

5.1 This instrument applies to England and Wales.

6. **European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

7.1 The Education Act 2011 (“the Act”) provides for the abolition of the TDA and GTCE with a view to bringing their key functions back within the DfE where they will be carried out by a new executive agency, the Teaching

Agency. The Act ensures that the Secretary of State will have the powers to exercise the functions that the TDA and GTCE currently carry out, respectively the accreditation of teacher training providers and the regulation of the teaching profession.

7.2 The aim of the overall changes is to improve the transparency, accountability and efficiency of the education system, to cut out duplication of activity and to discontinue activities which are simply no longer needed. The changes will ensure that Government is more accountable for the way in which it takes forward the key functions currently delivered by the TDA and GTCE, particularly improving the recruitment, selection and training of teachers; they will also lead to a streamlining of services and a more cost-effective delivery of the key priorities in the longer term.

7.3 The Act removes all references to the TDA and GTCE in primary legislation by repealing those sections of the Education Act 2005 and the Teaching and Higher Education Act 1998 which respectively established the TDA and GTCE and conferred functions on them. This Order deals with references to these bodies contained in the 2003 Order.

7.4 DfE confirmed in the initial teacher training implementation plan, published in November 2011, the intention to remove the ICT skills test. The test was introduced at a time when computer usage was less common and some teacher trainees lacked the basic ICT skills required to be an effective teacher. Basic ICT skills are now so common that there is no longer a need for such a test. The removal of the requirement for the test will be achieved by an amendment to the qualified teacher status standards. The amendment in this Order merely removes a reference to the test that is no longer needed once the requirement to pass the test is no longer in effect.

8. Consultation outcome

8.1 The intention to abolish the TDA and GTCE and bring their key functions into the DfE was set out in the Schools White Paper “The Importance of Teaching” in November 2010. The DfE provided a range of interested groups, including the teacher and head teacher unions, with an opportunity to discuss the issues and invited them to comment. The Department received no representations on the proposed abolition of the TDA. A range of representations on the decision to abolish the GTCE was received, of which the majority was broadly positive about abolition.

8.2 The intention to remove the requirement to pass a skills test in ICT to achieve Qualified Teacher Status was proposed in the Department’s public strategy discussion document “Training our next generation of outstanding teachers” published in June 2011. There was agreement to this proposal in the public responses made to the document. Confirmation of the change was published in the Department’s “Training our next generation of outstanding teachers - implementation plan” in November 2011.

9. Guidance

9.1 As the Order is making amendments related to the Act and changes to qualified teacher status standards guidance in relation to this particular Order is unnecessary.

9.2 The Department is publishing advice which will inform teachers, employers and the public of the role of the new Teaching Agency and guidance on the qualified teacher status standards is also available <http://media.education.gov.uk/assets/files/pdf/t/teachers%20standards%20from%20september%202012.pdf>

10 Impact

10.1 No impact on business or civil society organisations is foreseen.

10.2 No impact on the public sector is foreseen.

10.3 An extract from the Impact Assessment for the Education Bill 2011 is attached to this memorandum and will be published alongside the Explanatory Memorandum on www.legislation.gov.uk.

11. Regulating small business

10.1 The legislation does not apply to small business.

12 Monitoring & review

12.1 As the Order is making amendments relating to changes created by the Act and qualified teacher status standards the DfE has no plans to monitor or review this Order.

13. Contact

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Keith.Andrews@education.gsi.gov.uk can answer any queries regarding the abolition of the Training and Development Agency for Schools.

Paul Betteridge, tel: 020 7340 8113 or email:
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Helen Noakes, tel: 020 7340 8238 or email:
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All contacts are at the Department for Education.