
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Education (Specified Work and Registration) (England) Regulations 2003 (“the 2003 Regulations”) as amended. They come into force on 1st April 2012.

Regulation 3 provides that only certain persons may lawfully carry out “specified work” (as to which, see *regulation 5*). The persons are qualified teachers (with a limited exception explained in *regulation 4*) and persons who satisfy requirements set out in the Schedule. The Schedule provides that, amongst others, existing unqualified teachers in nursery classes or nursery schools (*paragraph 1*); instructors with special qualifications and expertise (*paragraph 2*), and individuals who are working towards gaining qualified teacher status (*paragraph 4*), may carry out specified work. (Individuals who are working towards gaining qualified teacher status include teacher trainees who have yet to pass the skills test; these trainee teachers have until 1st April 2013 to pass the skills test, after which they will no longer be permitted to carry out specified work.) The Schedule provides for certain persons to carry out specified work under supervision (*paragraph 6*).

Regulation 4 provides that teachers who have failed their probation will only be permitted to carry out specified work on and after 1st September 2012 if they have received the Secretary of State’s consent to do so.

Regulation 5 specifies the activities that are “specified work” for the purposes of section 133 of the Education Act 2002. The activities include planning, preparing and delivering lessons, assessing pupils’ progress and reporting on their progress.

An impact assessment has not been produced for this instrument as it has no impact on businesses or civil society organisations. The instrument has a minimal impact on the public sector.