

Direct Line: 020 7925 5280
Local Fax: 020 7925 6819
Email: TQ132.consultation@dfes.gsi.gov.uk

8 April 2003

Dear Colleague

RE-ENACTMENT OF THE EDUCATION (TEACHERS' QUALIFICATIONS AND HEALTH STANDARDS) (ENGLAND) REGULATIONS 1999

I am writing to consult you on your views regarding the above. The Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999 are re-enacted under new powers in section 132 of the Education Act 2002 with some modifications, as the Education (School Teachers' Qualifications) (England) Regulations 2003 ('the 2003 Regulations').

A summary of the key changes, and the questions we would like you to consider, are:

Award of Qualified Teacher Status (QTS) by the General Teaching Council for England

The GTCE, as the professional body for teachers plays a central role in maintaining and strengthening standards within the teaching profession. They are also in charge of the GTC Register. The Regulations provide for the GTCE to be responsible for awarding QTS, rather than the Secretary of State. We believe that the GTCE is well equipped to administer the award of QTS. The Secretary of State will continue to determine the routes whereby a person may achieve QTS and the standards required.

- 1. Do you agree that the GTCE should award QTS by written confirmation, and as outlined in regulation 10 of the 2003 Regulations?**

Qualified Teacher Status Requirements

Employment-based Teacher Training routes

There are no proposed changes of substance to the current training schemes. The 2003 Regulations have condensed and simplified some provisions within Schedule 3 of the 1999 Regulations (paragraphs 9 and 7A).

Teachers from the Independent and Further Education sectors

A time limit will now apply to teachers from the independent and FE sector who seek to obtain QTS. Such persons are eligible for QTS if they possess certain prescribed qualifications in shortage subject areas. The 2003 Regulations will continue to allow such teachers from the independent sector and FE lecturers to be awarded QTS, if they possess certain qualifications until 1 September 2004. We believe that the majority of teachers who are eligible for qualification via this route, would now have been awarded QTS and the provisions are therefore largely obsolete and unnecessarily restrictive. Furthermore, there are now a number of alternative routes by which experienced independent school teachers and FE lecturers can acquire QTS.

2. Do you foresee any problems with imposing the time-limit described above for such teachers?

Automatic qualification for Scottish and Northern Ireland trained teachers

It is proposed that teachers who complete their initial teacher training in Scotland and Northern Ireland will be qualified here without having to obtain formal written award of QTS from the GTCE. This mirrors the current position for Welsh trained teachers who do not need written award of QTS by the Department in order to be qualified teachers in England. Teachers who qualify in other UK jurisdictions will still be subject to the induction requirements under the Induction Regulations (SI 2001/2897).

3. Is this 'automatic recognition' for Scottish and Northern Irish teacher training qualifications helpful? Will it help to reduce administrative and bureaucratic burdens? Do you foresee any problems?

4. Do you think that Scottish and Northern Irish trained teachers should be qualified in England on the date that they qualify in their home jurisdiction?

Mandatory qualifications for teachers of pupils who are hearing impaired, visually impaired or both hearing impaired and visually impaired

Regulations 6-9 carry over long established requirements for qualified teachers to acquire an additional qualification when charged with teaching pupils with hearing impairment, visual impairment or multi-sensory impairment. Over the years, these qualifications have become known as mandatory qualifications (MQs).

The requirements are designed to ensure that specialist qualified teachers have the necessary skills and knowledge to work exclusively or mainly with such pupils. It is not intended that a qualified teacher in a mainstream school who has, say, one or two visually impaired children in his or her class should be required to undertake the MQ.

The regulations apply to teachers employed in schools and not specialist peripatetic HI/VI/MSI teachers employed in LEA SEN support services. It would however be our expectation that such teachers would have the relevant MQ.

The regulations are essentially as before but a number of small changes have been made to accurately reflect the underlying policy.

- i. The term 'teaching' has been defined in terms of the work which is specified by Regulations made under section 133 of the Education Act 2002. The work specified in those Regulations comprises the principal duties and activities of teachers.
- ii. The words "otherwise than to give instruction in a craft, trade or domestic subject" have been deleted. These expressions are not helpful in today's school environment and it is considered that the MQ is required in order to teach artistic or technical subjects to SEN pupils.
- iii. We have strengthened Regulation 9 – the three year allowance - by requiring employers to be satisfied that a person is actually in the process of obtaining the relevant MQ.

5. Do you consider that regulations 6-9 as modified achieve the required outcome for schools in terms of maintaining the MQ requirement?

6. Do you consider that removing the words "otherwise than to give instruction in a craft, trade or domestic subject" may cause problems for schools or teachers?

7. Do you consider that regulation 9 as re-drafted is helpful to employers and teachers?

Please could you respond to this consultation by **Friday 16 May 2003** and send your responses to:

**Amir Ghani
Department for Education and Skills
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT**

**Tel: 020 7925 5280
Fax: 020 7925 6819**

Email: TQ132.consultation@dfes.gsi.gov.uk