WELSH STATUTORY INSTRUMENTS

2002 No. 2938 (W.279)

EDUCATION, WALES

The Education (Teachers' Qualifications and Health Standards) (Wales) (Amendment) Regulations 2002

Made - - - -	*27th November 2002*
Coming into force - -	*17th December 2002*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 218(1)(a) and (2) and 232(5) and (6) of the Education Reform Act 1988(**1**) and now vested in the National Assembly(**2**).

Name and commencement

1. These Regulations are called the Education (Teachers' Qualifications and Health Standards) (Wales) (Amendment) Regulations 2002 and shall come into force on 17th December 2002.

Amendment of Regulations

2. The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(**3**) shall be amended as follows.

3. In regulation 3(2) at the appropriate point in alphabetical order there shall be inserted the following definition:

> ""governing body" ("*corff llywodraethu*") in relation to a further education institution has the same meaning as in section 90(1) of the Further and Higher Education Act 1992(**4**);".

4. Schedule 3 shall become Part I of Schedule 3, and immediately before paragraph 1 there shall be inserted the heading "PART I".

5. In Part I of Schedule 3—

(a) in paragraph 1(1)(b) for the words from "paragraphs 2 to 9" to "States of Guernsey Education Council" substitute "paragraphs 2 to 11, and if he or she is a person mentioned in paragraph 7, 8, 10 or 11 that the statement submitted by the recommending body, the States of Guernsey Education Council or the recommending authority";

(**1**) 1988 c. 40; Section 232(6) was amended by section 14 of the Education Act 1994 and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998 (c. 30).
(**2**) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
(**3**) S.I. 1999/2817 (W.18).
(**4**) 1992 c. 13.

(b) in paragraph 1(2) for "9" substitute "11";

(c) in paragraph 1(3) for "7 or 9" each time they occur substitute "7, 9, 10 or 11";

(d) after paragraph 9 insert the following paragraphs—

"**10.**—(1) The recommending authority has submitted to the Assembly a recommendation that a person should be awarded qualified teacher status and a statement that—

(a) on the date of the recommendation he or she is employed as a teacher in an independent school; and

(b) he or she has been assessed by the recommending authority as meeting the specified standards; and

(c) (i) before 1st January 1974 he or she obtained qualifications meeting the requirements of paragraphs 12, 13, 14, 15, 16, 17 or 18 of Part II of this Schedule, or

(ii) before 1st January 1974 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution, or

(iii) before 1st September 1989 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution in mathematics, physics, chemistry, biology, botany, zoology, physiology, biochemistry or geology; and

(d) he or she was employed as a teacher in an independent school before 1st September 1989.

(2) In this paragraph—

(a) "recommending authority" means—

(i) in the case of a teacher who is not a head teacher or principal, the head teacher or principal of the independent school at which he or she is employed to teach, and

(ii) in the case of a head teacher or principal, the chairman of the governing body of the school, or if none the proprietor of the school;

(b) "foreign" institution has the same meaning as in paragraph 2(2)(b); and

(c) "specified standards" has the same meaning as in paragraph 9(2)(b).

11.—(1) The recommending authority has submitted to the Assembly a recommendation that a person should be awarded qualified teacher status and a statement that—

(a) on the date of the recommendation he or she is employed as—

(i) a teacher in a further education institution; or

(ii) an instructor in a school in accordance with paragraph 3 of Schedule 2;

(b) he or she has been assessed by the recommending authority as meeting the specified standards;

(c) (i) before 1st January 1974 he or she obtained qualifications meeting the requirements of paragraphs 12, 13, 14, 15, 16, 17 or 18 of Part II of this Schedule, or

(ii) before 1st January 1974 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution; or

(iii) before 1st September 1989 he or she obtained a degree granted by a United Kingdom university or by the Council for National Academic Awards or by a foreign institution in mathematics, physics, chemistry, biology, botany, zoology, physiology, biochemistry or geology;

(d) he or she was employed as a teacher in a further education institution before 1st September 1989;

(e) he or she holds a Certificate in Education or a Post-graduate Certificate in Education; and

(f) in the opinion of the recommending authority, he or she has sufficient teaching experience to be able to teach pupils aged from 14 years to 19 years.

(2) In this paragraph—

(a) "recommending authority" means—

(i) in the case of a teacher who is not a head teacher or principal, the head teacher or principal of the further education institution at which the person is employed to teach; and

(ii) in the case of a head teacher or principal, the chairman of the governing body;

(b) "foreign" institution has the same meaning as in paragraph 2(2)(b); and

(c) "specified standards" has the same meaning as in paragraph 9(2)(b).".

6. After Part I of Schedule 3 insert the following Part—

"PART II

Art

12. The requirements of this paragraph are that the person—

(a) obtained before 1st January 1965 the qualification of—

(i) London University Diploma in Fine Art (Slade School),

(ii) Diploma of Associateship of the Royal College of Art (ARCA) or Master of Art of the Royal College of Art (M Art (RCA)),

(iii) Diploma of Designer of the Royal College of Art (Des RCA) or Certificate of Designer of the Royal College of Art (Cert Des RCA) or Master of Design of the Royal College of Art (M Des (RCA)),

(iv) Certificate of the Royal Academy Schools awarded on the successful completion of the course at the Academy, or

(v) Diploma in Art and Design awarded by the National Council for Diplomas in Art and Design; or

(b) obtained a qualification specified in paragraphs (i) to (v) of sub-paragraph (a) on or after 1st January 1965, and before he or she had obtained that qualification he or she had attained the minimum education qualifications required for entrance to a recognised college of education.

Handicraft

13. The requirements of this paragraph are that the person obtained the City and Guilds of London Institute Teacher's Certificate in Handicraft before 1st January 1961.

Music

14. The requirements of this paragraph are that the person—

(a) obtained the qualification of—

(i) Birmingham School of Music's Graduate Diploma (GBSM),

(ii) Guildhall School of Music's Graduate Diploma (GGSM),

(iii) London College of Music's Graduate Diploma (GLCM),

(iv) Northern School of Music's Graduate Diploma (GNSM),

(v) Royal College of Music's Degree of Master in Music (M Mus, RCM),

(vi) Royal College of Organists' Fellowship Diploma (FRCO),

(vii) Royal Manchester College of Music's Graduate Diploma (GRSM (Manchester)),

(viii) Royal Schools of Music's Graduate Diploma (GRSM), or

(ix) Trinity College of Music's Graduate Diploma (GTCL); or

(b) obtained before 1st January 1964 the qualification of—

(i) Birmingham School of Music's Diploma awarded on the successful completion of the two year teacher training course for the Associateship of the Birmingham School of Music (ABSM) (TTD), or the Diploma of Associateship of the Birmingham School of Music (ABSM) (Teacher) of any instrument or the voice awarded on the successful completion of the three year full-time course or a period of part-time study,

(ii) The London School of Dalcroze Eurhythmics, Liphook's Teaching Certificate awarded on the successful completion of the three year course ending on or before 31st December 1955,

(iii) The Dalcroze Society (Incorporated) Training Centre's Certificate awarded on the successful completion of the three year course ending in 1954 or 1955,

(iv) The Dalcroze Society (Incorporated) London School of Eurhythmics's Certificate awarded on the successful completion of the three year course ending on or after 1st January 1956,

(v) Dartington College and Arts Centre's Diploma of Music Education for Schools,

(iv) Associateship of the Guildhall School of Music (AGSM) or Licentiate of the Guildhall School of Music (LGSM) with special Teacher's Diploma (Music) or AGSM or LGSM Teacher's Diploma (instrumental or otherwise) or AGSM or LGSM Aural Training and Musical Appreciation or AGSM or LGSM Class Singing and Voice Training,

(vii) Huddersfield College of Technology's Diploma in Music,

(viii) Licentiate of the London College of Music Teacher's Diploma (LLCM (TD)) in an instrument, or the voice or (if obtained not later than 31st December 1960) in School Music or LLCM in School Music,

(ix) Northern School of Music's Associate Diploma of Music Education,