1973. No. 429 **[C]**

EDUCATION

Further Education General Regulations

REGULATIONS, DATED 9TH OCTOBER 1973, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Education, hereinafter referred to as "the Ministry", on behalf of the Secretary of State and in pursuance of the powers vested in it by Articles 58 and 125 of the Education and Libraries (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Further Education General Regulations (Northern Ireland) 1973.

(2) These Regulations shall have effect from 1st October 1973.

Regulations revoked

2. The following Regulations are hereby revoked:—

the Further Education (Grant Conditions) Regulations (Northern Ireland) 1963(b);

the Further Education (Grant Conditions) Amending Regulations (Northern Ireland) 1967(c);

the Further Education (Grant Conditions) Amending Regulations (Northern Ireland) 1967, No. 2(d).

Definitions

3. In these Regulations—

"institution of further education" means any place in which a board provides facilities for further education, including a place used only for part-time classes;

"Order" means the Education and Libraries (Northern Ireland) Order 1972;

"part-time teacher" means a teacher who is not a full-time teacher.

General provisions

4. Any institution of further education shall be organised with due regard to the circumstances and needs of the district which it is intended to serve and the facilities available in other institutions of further education, and appropriate arrangements shall be made for consultation and co-operation with industry and commerce in respect of courses related thereto.

5. The instruction to be given in an institution of further education shall be determined with due regard to the ages, abilities and aptitudes of the students, and the curriculum, syllabuses and time-tables shall be subject to the approval of the Ministry.

(a) S.I. 1972, No. 1263 (N.I. 12).
(b) S.R. & O. (N.I.) 1963, No. 210.
(c) S.R. & O. (N.I.) 1967, No. 183.
(d) S.R. & O. (N.I.) 1967, No. 189.

6. A teacher shall be required to teach classes approved by the Ministry for not less than 20 hours weekly: provided that the requirement as to the number of hours of teaching approved classes may be reduced to such extent and in such circumstances as may be approved by the Ministry.

7. The number of students under instruction together by one teacher shall at all times be consistent with educational and safety requirements recommended by the Ministry and shall not without the approval of the Ministry exceed—

(*a*) 20 for a class in a practical subject,

(*b*) 35 for a class in any other subject,

provided that if a class assistant whose qualifications are accepted by the Ministry is present the number in a class for a practical subject may be increased to 30.

8. Such registers or records shall be kept and such information and returns shall be furnished as the Ministry from time to time may require.

9. The rates of students' fees together with arrangements for the charging of fees shall be subject to the approval of the Ministry.

10. The Ministry may prohibit the use in an institution of further education of any books of which it does not approve.

Staffing

11. The establishment of teachers in every institution of further education (including any technical intermediate school conducted in association with the institution) shall be such as may be approved by the Ministry.

12.—(1) A teacher employed in an institution of further education who in accordance with approved arrangements also teaches in some other grant-aided school or institution of further education may, with the approval of the Ministry, be treated as a full-time teacher in the first-mentioned institution provided that in the opinion of the Ministry the aggregate number of hours of duty performed by the teacher in the first-mentioned institution and the other school or institution of further education is sufficient to justify the teacher being so treated.

(2) The arrangements referred to in paragraph (1) shall include provision for determining to what extent if any the Ministry or the authorities of any school or institution of further education shall meet or contribute to the cost of the teacher's salary.

13. During the period of absence of any teacher or part-time teacher a board shall make suitable provision for the continuance of his work.

14. Where the Ministry is satisfied that a board is unable to secure the services of a qualified teacher it may, under approved arrangements, sanction the temporary employment of a person who is not recognised as a qualified teacher.

Appointment, probation and recognition of teachers

15. To be eligible for recognition by the Ministry for appointment as a qualified teacher in an institution of further education a person must have obtained such qualifications as may be approved by the Ministry: provided that in exceptional circumstances a person with suitable experience who does not possess such qualifications may, at the discretion of the Ministry, be eligible for recognition as a qualified teacher.

16. A teacher must satisfy the Ministry of his health and physical capacity for teaching.

17.—(1) Subject to the provisions of paragraph (3) a teacher who is recognised as qualified under Regulation 15 shall serve a period of probation for an initial period of three terms or six terms, or such period or periods as the Ministry considers equivalent to three terms or six terms respectively, and during such period of probation his recognition as qualified shall be provisional.

(2) The initial period of three terms referred to in paragraph (1) shall apply to teachers who have sucessfully completed an approved course of teacher training and the period of six terms shall apply to teachers who have not completed such a course.

(3) If a teacher has approved previous teaching experience or in special circumstances, the Ministry may waive probation in whole or in part.

(4) Unless the Ministry in special circumstances considers that it is necessary to defer a decision, it shall at the end of the period or periods of probation referred to in paragraph (1) and of any period by which such period or periods are extended under the provisions of this paragraph confirm the teacher's recognition as a qualified teacher or extend his probation for a further period, or withdraw his recognition.

(5) If a decision is deferred under paragraph (4) but at the end of the period of deferment the Ministry confirms the teacher's recognition the Ministry shall determine from what date such recognition would have been confirmed if the decision had not been deferred, and the teacher's recognition shall be deemed to have been confirmed from that date.

18.—(1) The Ministry may refuse to recognise as qualified or withdraw recognition as qualified from a teacher on the grounds of inefficiency or misconduct.

(2) If a teacher's engagement is terminated whether by dismissal or resignation on account of misconduct (or conviction of a criminal offence) the board shall report the facts to the Ministry.

19. The Ministry may, before confirming recognition as qualified, or at any time as a condition of continued recognition, require a teacher to attend further courses of study, or to pass such examinations as it may determine.

20. If a teacher's recognition as qualified is withdrawn the Ministry may in special circumstances provisionally restore his recognition for such period and subject to such conditions as it may determine. During such period the teacher shall be on probation and at the end of such period the Ministry shall either confirm the teacher's recognition or withdraw it.

21. A teacher shall not be employed before he attains the age of twenty years or after the 31st July next following the date on which he attains the age of sixty-five years except for limited periods in cases where there are special circumstances and the Ministry so approves.

22. A teacher should not engage in any activities which in the opinion of the board or of the Ministry would interfere with the efficient and proper discharge of his duties as a teacher.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 9th day of October 1973.

(L.S.) *P. K. McHugh,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe conditions for the provision of further education, and for the recognition by the Ministry of qualified teachers in institutions of further education.