1965 No. 940 (S. 29)

EDUCATION, SCOTLAND

The Schools (Scotland) Code Amendment Regulations 1965

Made - - - -	*9th April* 1965
Laid before Parliament	*15th April* 1965
Coming into Operation	*1st August* 1965

In exercise of the powers conferred upon me by sections 1(2), 76(1) and 144(5) of the Education (Scotland) Act 1962(a) and of all other powers enabling me in that behalf and having, in accordance with the provisions of section 144(2) of the said Act, before making these Regulations, caused a draft of the Regulations to be published and a copy thereof sent to every education authority and having had regard to the representations made, I hereby make the following Regulations—

Citation, interpretation and commencement

1. These Regulations, which may be cited as the Schools (Scotland) Code Amendment Regulations 1965, shall be construed as one with the Schools (Scotland) Code 1956(b) as amended(c) (hereinafter referred to as " the principal regulations ") and shall come into operation on 1st August 1965.

Amendment of Regulation 5 of principal regulations

2. At the end of Regulation 5 (which relates to staffing requirements for primary departments) of the principal regulations there shall be added the following paragraph—

" (5) Where in a primary department—

(*a*) the number of pupils in attendance is on the average 400 or more, or

(*b*) the number of pupils in attendance is on the average 300 or more and an infant mistress is not employed, or

(*c*) the number of pupils in attendance is on the average 200 or more and under Regulation 6(9) of this Code a deputy head teacher is required to be employed in the secondary department of the same school—

the education authority shall employ a deputy head teacher in that primary department."

Amendment of Regulation 6 of principal regulations

3. In Regulation 6 (which relates to staffing requirements for secondary departments) of the principal regulations—

(a) 10 & 11 Eliz. 2. c. 47. (b) S.I. 1956/894 (1956 I, p. 735).
(c) The amending Regulations are not relevant to the subject matter of these Regulations.

(1) in paragraph (2) and in paragraph (3), for the figure " 60 ", in each place where it occurs, there shall be substituted the figure " 40 ";

(2) for paragraph (5) there shall be substituted the following paragraph—

" (5) (*a*) The education authority shall employ special assistant teachers in accordance with the following sub-paragraphs of this paragraph.

(*b*) Subject to the next following sub-paragraph, the number of special assistant teachers to be employed shall be the number calculated by dividing the enrolment of all the secondary departments under the management of the education authority by 140 and by counting any resulting fraction as one unit.

(*c*) If in any year the number calculated under the last preceding sub-paragraph is greater than the number of special assistant teachers in employment, the education authority shall proceed forthwith to make the required number of additional appointments and, if the number so calculated is less than the number of special assistant teachers in employment, the number in employment shall be decreased as vacancies occur.

(*d*) Special assistant teachers shall be employed in secondary departments under the management of the education authority and shall be distributed among the said departments in such manner as the authority consider appropriate.

(*e*) In this paragraph the expression " enrolment " means the average number of pupils on the register during the preceding school year as shown in the return of such number made to the Secretary of State as required by him under section 96 of the Education (Scotland) Act 1962.";

(3) for paragraph (7) there shall be substituted the following paragraph—

" (7) Where in a secondary department the number of pupils in attendance is on the average 200 or more, the pupils include both boys and girls, and the head teacher is a man, the education authority shall employ in that department a woman teacher whose duties include those of woman adviser.";
and

(4) after paragraph (8) there shall be added the following paragraphs—

" (9) Where in a secondary department the number of pupils in attendance is on the average 200 or more, the education authority shall employ a deputy head teacher in that department.

(10) Where under the last preceding Regulation a deputy head teacher is required to be employed in a primary department and under this Regulation a deputy head teacher is required to be employed in the secondary department of the same school, one of the persons so employed shall also be deputy head teacher of the whole school.

(11) (*a*) Where in any area the education authority have under their management a large secondary department, the authority shall employ principal assistant teachers in accordance with the following sub-paragraphs of this paragraph.

(*b*) The number of principal assistant teachers shall be not less than the number, and not more than twice the number, of the large secondary departments under the management of the education authority.

(*c*) Principal assistant teachers shall be employed in secondary departments under the management of the education authority and shall be distributed among the said departments in such manner and be employed in

carrying out such duties involving special responsibility as the authority consider appropriate.

(*d*) In this paragraph the expression "large secondary department" means a secondary department in which the number of pupils in attendance is on the average 800 or more."

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

9th April 1965.

EXPLANATORY NOTE

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

These Regulations amend the provisions of the Schools (Scotland) Code 1956 regarding the staffing of primary and secondary schools. They alter the requirements concerning the appointment of principal teachers, special assistant teachers and woman advisers and introduce new requirements concerning the appointment of deputy head teachers and principal assistant teachers.