RECRUITMENT OF TEACHERS

1952 No. 660 (S. 27)

The Teachers (Special Recruitment) (Scotland) Regulations, 1952

Made - - - -	*26th March*, 1952
Laid before Parliament	*27th March*, 1952
Coming into Operation	*1st April*, 1952

In the exercise of the powers conferred upon me by paragraph (7) of section 70 and subsection (1) of section 77 of the Education (Scotland) Act, 1946(**a**), and of all powers enabling me in that behalf, I hereby make the following Regulations:—

Interpretation

1.—(1) The Interpretation Act, 1889(**b**), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations, unless the context otherwise requires, references to any enactment or regulation shall be construed as references to that enactment or regulation as amended by any subsequent enactment or regulation.

(3) In these Regulations, unless the context otherwise requires—

(*a*) "Teacher's Certificate" means a Teacher's General Certificate, a Teacher's Special Certificate, a Teacher's Technical Certificate or other certificate, as the case may be, granted under the Training Regulations;

(*b*) "Training Regulations" means the Regulations for the Preliminary Education, Training and Certification of Teachers for Various Grades of Schools (Scotland), 1931(**c**);

(*c*) "employment" includes self-employment; and

(*d*) "occupation" does not include National Service or attendance as a student at a University or other educational institution.

Special Scheme of Recruitment

2.—(1) It shall be a function of the National Committee to continue the special scheme of recruitment to the teaching profession in Scotland instituted under the Teachers (Special Recruitment) (Scotland) Provisional Regulations, 1951(**d**) (hereinafter referred to as "the Provisional Regulations"). The said scheme shall, from and after the day upon which these Regulations come into operation, be conducted in accordance with these Regulations. All applications for admission to the scheme submitted under the Provisional Regulations and not finally disposed of before the day upon which these Regulations come into operation shall be dealt with under these Regulations, and any person who made such application and who last underwent full-time education before 1st September, 1950, shall be deemed to fulfil the condition relating to employment set forth in paragraph (2) of this Regulation. All awards current under the Provisional Regulations on the day immediately preceding the day upon which these Regulations come into operation shall be subject to the conditions of these Regulations.

(**a**) 9 & 10 Geo. 6. c. 72. (**b**) 52 & 53 Vict. c. 63.
(**c**) S.R. & O. 1931/180; Rev. VI, p. 758; 1931, p. 363.
(**d**) S.I. 1951/1341; 1951 I, p. 608.

(2) A person shall be eligible to be selected for admission to the scheme provided that—

(*a*) he is a person described in one of the immediately following sub-paragraphs, that is to say—

(i) a person who holds the qualifications required by the Training Regulations for admission to training for the Teacher's Certificate which he desires to obtain, but who has not entered upon such training ;

(ii) a person who, although not so qualified, is in the opinion of the National Committee likely to become so qualified after a reasonable period of study in organised courses provided or approved by the National Committee for the purpose or by other means so approved ; or

(iii) a person who, having been eligible for admission to emergency courses under the Supply of Teachers (Emergency Arrangements) (Scotland) Regulations, 1947(a), or earlier Regulations, leading to the Teacher's Certificate which he desires to obtain, successfully underwent furth of Scotland a course of training for the teaching profession approved for the purpose of this Regulation by the Secretary of State ; and

(*b*) in the case of a person described in sub-paragraph (i) or sub-paragraph (ii) of the foregoing proviso, he satisfies the National Committee that since leaving school and before admission to the scheme he will have been employed full-time in one or more occupations for a period of, or for periods amounting in the aggregate to, not less than two years.

(3) If the Secretary of State is satisfied, after consultation with the National Committee, that an applicant for admission to the scheme who is ineligible for admission by reason only of his failure to fulfil the condition relating to employment set forth in the last foregoing paragraph should nevertheless be deemed to have fulfilled the said condition because of the special circumstances of his case, the Secretary of State may so intimate to the National Committee ; and thereupon the National Committee shall deal with the application in all respects as they would have dealt with it if the said condition had been fulfilled.

Applications for Admission to the Scheme

3. Every application for admission to the scheme shall be made on a form to be provided by the National Committee for the purpose. Each applicant shall produce a certificate as to his health in the form prescribed by the Secretary of State under Article 16 of the Training Regulations, and shall make a declaration in writing that he intends on completion of training to serve as a teacher in Scotland.

Selection of Candidates

4.—(1) The Selection Board appointed by the National Committee under the Provisional Regulations shall continue in office under these Regulations, provided that it shall be in the power of the National Committee with the approval of the Secretary of State to alter the constitution of the said Selection Board. The National Committee may with the approval of the Secretary of State appoint additional Selection Boards if they consider that the number of applications makes such a course desirable. The National Committee

(a) S.R. & O. 1947/127; Rev. VI, p. 778; 1947 I, p. 631.

may give general guidance to Selection Boards as to the policy to be followed in exercising their functions under these Regulations. The Secretary of State may appoint Assessors to Selection Boards.

(2) Every application shall be transmitted to a Selection Board. The Board shall consider each application and they may interview any applicant or cause him to be interviewed, and they shall decide whether the applicant is eligible for admission to and should be admitted to the scheme and, if he is a person of the class described in sub-paragraph (*a*) (ii) of paragraph (2) of Regulation 2 of these Regulations, the period and nature of the study which he should undertake in order to obtain the qualifications required by the Training Regulations for admission to training.

Provision for persons described in Regulation 2 (2) (*a*) (*ii*)

5. It shall be in the power of the National Committee to arrange for the provision of courses for persons described in sub-paragraph (*a*) (ii) of paragraph (2) of Regulation 2 of these Regulations who have been admitted to the scheme.

Provision for persons described in Regulation 2 (2) (*a*) (*iii*)

6. The provisions of sub-paragraphs (*b*) and (*c*) of paragraph (1) of Regulation 1 and the provisions of Regulation 5 of the Supply of Teachers (Emergency Arrangements) (Scotland) Regulations, 1947, shall apply in relation to persons described in sub-paragraph (*a*) (iii) of paragraph (2) of Regulation 2 of these Regulations who have been admitted to the scheme as they applied in relation to persons admitted to emergency courses under the said Regulations.

Allowances to persons admitted to the Scheme

7.—(1) It shall be in the power of the National Committee to pay allowances to persons admitted to the scheme for the purpose of enabling them to undertake courses at universities, central institutions, training centres, training colleges and other educational institutions approved by the National Committee or to undertake study approved by the National Committee under sub-paragraph (*a*) (ii) of paragraph (2) of Regulation 2 of these Regulations.

(2) The amount of any allowance under this Regulation shall be determined by the National Committee. In fixing the amount the National Committee shall have regard—

(*a*) to the expenses likely to be incurred by the applicant, including expenditure upon fees, upon membership of athletic and other bodies connected with the institution to be attended, upon travelling, upon books and apparatus, upon board, lodging, clothing and other necessities for himself, his spouse and dependants during term-time and vacation, and upon other purposes upon which it is reasonable and customary that expenditure should be incurred ; and

(*b*) to the income and other means of support available to the applicant, his spouse and dependants, including any bursary or other award made by an Education Authority or by the governing body of an educational endowment, and any contribution which a parent or other interested person may be willing to make.

(3) The amount of any allowance may be varied from time to time in accordance with any change of circumstances which may occur, and any allowance may be withdrawn, suspended or cancelled.

(4) Allowances may be paid in advance by instalments at such intervals and in respect of such periods as the National Committee may determine, and, after the first instalment, shall be dependent upon the satisfactory

conduct and progress of the applicant. When the allowance covers fees at a university, central institution, training centre, training college or other educational institution, the National Committee may pay the fees direct to the appropriate authority of the institution.

(5) Applicants for allowances shall furnish the National Committee with such information as they may require, and shall notify them of any change of circumstances which may affect the amount of the allowances.

Appeals

8. Any applicant who is aggrieved by any decision of the Selection Board under these Regulations may appeal to the National Committee, who may give such directions to the Selection Board in relation to the appeal as they think fit, and the Selection Board shall give effect to any such direction.

Mode of Exercise of Functions

9. The functions of the National Committee under these Regulations shall be exercised as part of their functions under the Training of Teachers (Constitution of Committees) Amending Minute, 1934(a), and the Training Regulations.

Payments from the Education (Scotland) Fund

10. The Secretary of State may pay grants from the Education (Scotland) Fund to the National Committee to defray such part as is not met from other sources of the expenditure incurred by the National Committee under the Provisional Regulations or these Regulations and approved by him.

Limitation of Scope of the Scheme

11. The Secretary of State may, after consultation with the National Committee, direct that as from a date specified in the said direction no further applications for admission to the scheme shall be accepted by the National Committee from candidates desirous of obtaining a particular qualification under the Training Regulations specified in the said direction. The National Committee shall thereupon take such steps as they consider necessary to make the effect of the said direction known to the persons interested and shall cease to receive applications accordingly.

Citation and commencement

12.—(1) These Regulations may be cited as the Teachers (Special Recruitment) (Scotland) Regulations, 1952.

(2) These Regulations shall come into operation on 1st April, 1952.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
26th March, 1952.

EXPLANATORY NOTE

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

The purpose of these Regulations is to continue without substantial alteration the special scheme of recruitment to the teaching profession in Scotland which was instituted under the Teachers (Special Recruitment) (Scotland) Provisional Regulations, 1951.

(a) S.R. & O. 1934/275; Rev. VI, p. 749; 1934 I, p. 554.