

2014 No. 1685

EDUCATION, ENGLAND

**The Teachers' Disciplinary (Amendment) (England) Regulations
2014**

<i>Made</i>	- - - -	<i>26th June 2014</i>
<i>Laid before Parliament</i>		<i>1st July 2014</i>
<i>Coming into force</i>	- -	<i>1st September 2014</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 210(7) of, and Schedule 11A to, the Education Act 2002(a).

Citation and commencement

1. These Regulations may be cited as the Teachers' Disciplinary (Amendment) (England) Regulations 2014 and come into force on 1st September 2014.

Amendments to the Teachers' Disciplinary (England) Regulations 2012

2.—(1) The Teachers' Disciplinary (England) Regulations 2012(b) are amended as follows.

(2) After regulation 6(2) insert—

“(3) In this regulation, “persons who have been teachers in the past five years” means persons who were teachers in the five years immediately before the date they were appointed by the Secretary of State as suitable to be a member of a professional conduct panel.”.

(3) After regulation 12 insert—

“Limits of evidence requirements

12A. Nothing in these Regulations shall be taken to require any person to give evidence or produce any document or other material evidence which the person could not be compelled to give or produce in civil proceedings in any court in England and Wales.”

(4) In regulation 13(4)(b) before “and” insert “(or, as the case may be, the person by whom the teacher was engaged to carry out teaching work)”.

26th June 2014

David Laws
Minister of State for Schools
Department for Education

(a) 2002 c.32. Schedule 11A was inserted by section 8 of the Education Act 2011 (c.21) and was amended by S.I. 2012/3006, article 13(1), (2)(e). See section 212(1) of the 2002 Act for the definition of “regulations”.

(b) S.I. 2012/560.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Teachers' Disciplinary (England) Regulations 2012 provide for the procedure to be followed by the Secretary of State in reaching a decision as to whether to make a prohibition order in respect of a teacher under section 141B(2) of the Education Act 2002. A prohibition order prohibits the person to whom it relates from carrying out teaching work.

These Regulations amend those Regulations in three respects. They provide, at regulation 6(3), for teacher members of professional conduct panels to have been teachers in the five years prior to being appointed generally as a member of such panels, rather than prior to being appointed to a particular panel. They provide, at regulation 12A, a limitation on the evidence that can be required to be produced under the Regulations. They also provide, at regulation 13(4)(b), for the Secretary of State to serve notice of a prohibition order on a person by whom the teacher was engaged to carry out teaching work.

An impact assessment has not been produced for this instrument as minimal impact on businesses, the public sector or civil society organisations is foreseen.

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