

Subject: Engagement of Unqualified Teachers in Grant-aided Schools

Circular Number 2023/07

Date of Issue: 15 May 2023

Audience:

- Principals in Grant-aided Schools;
- Boards of Governors of Grant-aided Schools;
- Education Authority;
- Council for Catholic Maintained Schools;
- Comhairle na Gaelscolaíochta;
- Northern Ireland Council for Integrated Education;
- Governing Bodies Association NI;
- Controlled Schools Support Council;
- Teachers' Unions;
- General Teaching Council for Northern Ireland; and
- EOTAS Centres.

Summary of Contents:

This Circular provides guidance to school principals clarifying the legal position in respect of engagement of unqualified teachers including student teachers pending qualification award.

Enquiries:

Any enquiries about the contents of this Circular should be addressed to the relevant employing authority and/or GTCNI.

Governors' Awareness:
Essential

Status of Contents:
Advice / Information for
Employing Authorities, Boards
of Governors, and Principals.

Related Documents:
Circular 1997/14

Superseded Documents:
None

Expiry Date: Not applicable

DE Website:
www.education-ni.gov.uk

ENGAGEMENT OF UNQUALIFIED TEACHERS

1. The Department is aware that, historically, schools were able to engage an unqualified teacher for a short period of time. Regulation 8 of the [Teachers' Eligibility Regulations \(NI\) 1997](#) made provision for schools "*where no eligible teacher is available, to employ a person who is not eligible, with the approval of the employing authority, for a period normally not exceeding four weeks*".
2. The purpose of this Circular is to make schools aware that this legislative provision no longer exists. The Regulations were repealed¹ with effect from 31 May 2009.
3. It is therefore not permissible to engage a non-qualified teacher in a grant-aided school **for any period**. This includes engagement of student teachers who have completed their final year but have not yet received their teaching qualification and confirmation of their teacher registration from GTCNI. To be engaged for supply work, a Newly Qualified Teacher (NQT) must also be fully registered with a 'live' status on NISTR.
4. Whilst Teachers' Pay Circulars have continued to include an unqualified rate post the repeal of the Regulations, this related to historical contracts and is no longer applicable. The unqualified rate is not available for new engagements and will not be included in future Pay Circulars.

¹ The repeal of Article 70 (4) (a) and (c) of the Education and Libraries (NI) Order 1986 (by Article 91(2) of, and Part II f Schedule 6 to, the Education (NI) Order 1998), which were made under the powers contained in that Article was commenced from 31st May 2009 by Article 3(e)(i) of the Education (1998 Order)(Commencement No.6) Order (NI) 2009. This means that Article 70 no longer applies to teachers other than those in further education institutions. The repeal of Article 70(4)(a) and (c) means that the Teachers' (Eligibility) Regulations (NI) 1997 Regulations, which were made under the powers contained in that Article, no longer apply.