

**SUBJECT:**

**CIRCULAR NUMBER: 2005/13**

**PHYSICAL AND MENTAL FITNESS  
OF TEACHERS TO TEACH - AMENDMENT  
TO CIRCULAR 1997/16**

**DATE OF ISSUE: 15 JUNE 2005**

---

**TARGET AUDIENCE:**

Education and Library Boards  
Council for Catholic Maintained Schools  
Boards of Governors and  
Principals of Grant-Aided Schools and  
the Northern Ireland Council for Integrated Education

**SUMMARY OF CONTENTS:**

To ensure that employing authorities and others are aware of the rights of teachers under Regulation 7 of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997.

**ENQUIRIES:**

Any enquiries about the contents of this Circular should be addressed to:

Reynolds Stockman  
Teachers' Pay and Administration Branch  
Waterside House  
75 Duke Street  
LONDONDERRY  
BT47 6FP

**STATUS OF CONTENTS:**

Advice

**RELATED CIRCULAR**

1997/16

**DENI WEBSITE:**

<http://www.deni.gov.uk>

**TEL:** 028 71 319000

**FAX:** 028 71 319190

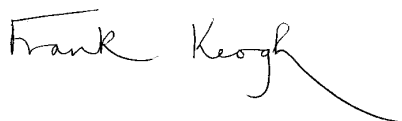
## Introduction

1. Paragraph 14 of Circular 1997/16 is hereby withdrawn and replaced by paragraphs 14 and 14 A below: -

“14. Where it appears to an employing authority that a person may no longer have the health or physical capacity for employment as a teacher, the employing authority: -

- (i) may suspend the teacher’s employment
- (ii) will allow the teacher an opportunity to submit medical evidence and make representations to it;
- (iii) will consider such evidence and representations, and any other medical evidence available to it, including such evidence which has been provided on the ground that it would not be in the best interests of the teacher concerned to see it;
- (iv) may require the teacher to submit him or herself for examination by a medical practitioner appointed by it. If, without good cause, he or she fails to attend or refuses to make available medical evidence or information sought by the medical practitioner, it may reach a conclusion in the matter of such evidence and information available to it, notwithstanding that further medical evidence may be desirable.

14 A. At any time before such medical examination as is referred to in paragraph 14 (iv), the employing authority, or the person, may submit to the medical practitioner appointed, evidence or other matter relevant to the examination. Furthermore, the examination may be attended by any medical practitioner appointed for the purpose by the person being examined.”



---

**FRANK KEOGH**  
Teachers’ Pay & Administration Branch