

SUBJECT:

CIRCULAR NUMBER: 2005/14

**PHYSICAL AND MENTAL FITNESS
OF TEACHERS TO TEACH IN INSTITUTIONS
OF FURTHER EDUCATION - AMENDMENT
TO CIRCULAR 1997/28**

DATE OF ISSUE: 15 JUNE 2005

TARGET AUDIENCE:

Governing Bodies and Principals of Institutions of Further and Higher Education

SUMMARY OF CONTENTS:

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

ENQUIRIES:

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

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STATUS OF CONTENTS:

Advice

RELATED CIRCULAR

1997/28

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Introduction

1. Paragraph 14 of Circular 1997/28 is hereby withdrawn and replaced by paragraphs 14 and 14 A below: -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: -

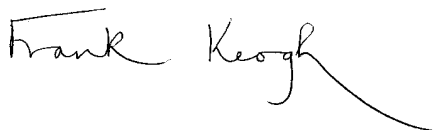
(i) may suspend the teacher’s employment

(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