

Consultation on Draft Head Teacher Education and Training Standards (Scotland) Regulations

Summary Report on the Responses to the Consultation

April 2017

Background

1. The Scottish Government issued a consultation document in December 2016 (<http://www.gov.scot/Resource/0051/00511400.pdf>). The consultation aims to seek the public's views on the draft "The Head Teachers Education and Training Standards (Scotland) Regulations". The regulations are required to meet the policy aim of improving the quality of candidate applying for Head Teacher posts thereby ensuring schools are led by Head Teachers who are prepared for the role.
2. The draft regulations specify the education and training standards needed before teachers can be appointed to Head Teacher posts in education authority and grant-aided schools. The regulations provide that only those persons who have achieved the Standard for Headship may be appointed by education authorities and managers of grant-aided school as Head Teacher. The regulations define "the Standard for Headship" as meaning the professional standard awarded to a person by the General Teaching Council for Scotland (GTCS). The Standard supports the self-evaluation and professional learning of those in, or aspiring to, formal leadership roles in schools. It is underpinned by themes of values, sustainability and leadership and is integral to professional relationships and practices.
3. The draft regulations are intended to come into force on 1 August 2019 and are not retrospective. It is considered that commencing the regulations on 1 August 2019 gives sufficient time for education authorities and grant-aided schools to plan for future Head Teacher appointments within their wider workforce planning functions. The draft regulations will not affect the status of current Head Teachers and those that have been in a Head Teacher post previously in their career and their ability to move between posts across Scotland will not be reduced.
4. The draft regulations aim to be practicable and allow for a degree of flexibility for the employer if, for example, a temporary appointment is needed. This should ensure that education authorities and managers of grant-aided schools have the flexibility to manage complex staffing arrangements.
5. The consultation document listed four questions and allowed for general comments to be submitted.

Consultation responses

6. There were 42 responses to the consultation from both individuals and organisations. The following organisations submitted responses:-

Aberdeenshire Council
Angus Council
Argyll & Clyde Council
Association of Directors of Education in Scotland
Association of Headteachers and Deputes in Scotland
Chartered Institute of Public Finance and Accountancy
Comhairle nan Eilean Siar
Commission on School Reform
Dumfries & Galloway Council
East Ayrshire Council
East Lothian Council
Edinburgh City Council

Educational Institute of Scotland
Falkirk Council
Fife Council
General Teaching Council for Scotland
Inverclyde Council
Moray Council
North Ayrshire Council
Orkney Council
Perth & Kinross Council
Renfrewshire Council
Royal Blind School
Royal Society of Edinburgh
School Leaders Scotland
Scottish Parent Teacher Council
Voice Scotland
West Dunbartonshire Council
West Lothian Council
Zero Tolerance

7. Where the respondents have given permission for their responses to be made public, these are available on the Citizen Space website https://consult.scotland.gov.uk/people-and-leadership-unit/head-teachers-education-and-training-standards/consultation/published_select_respondent . All respondents were given the choice to submit their entries anonymously and for their responses to be made anonymous in reporting. All responses were moderated for any potentially defamatory, explicit or offensive material before being approved for publication.

Analysis of responses

Question 1 – Do you agree with the scope and exemptions of the Regulations?

8. Most respondents thought that the draft regulations were practical and a positive statement of intent with regard to ensuring that suitably prepared and qualified teachers are appointed to head teacher posts. Respondents were pleased that no particular programme was prescribed in the draft regulations but that they instead referred to the Standard for Headship. However, some respondents made the point that teachers holding a qualification did not give a guarantee of good leadership or meeting the Standard for Headship.

9. With regard to the scope of the regulations some respondents thought that they should be widened. One suggestion was that holding the Standard for Headship should also apply to Heads of Service and Quality Improvement Officers employed by education authorities. They considered that this was essential if they were to lead and manage head teachers. Other respondents thought that the requirement should apply to all head teachers both currently in post and yet to be appointed. They recognized that timeframes around this would need further consideration. Respondents asked why independent schools were to be exempt from these regulations at a time when teachers within these schools now needed to be GTCS registered. One respondent was concerned about the equity issues for established head teachers from outside Scotland who apply for posts. Where a head teacher in Scotland applies for a post before the 1 August 2019 then they would not need to hold the Standard for Headship. In contrast somebody from

outside Scotland would require to hold or demonstrate they meet the Standard for Headship. This could open a legal challenge.

10. Some respondents wanted the scope of the draft regulations to be more limited. They wanted the requirements to be optional for local authorities who could make decisions based on local circumstances. Others thought that the regulations should not cover appointments to small rural schools where recruitment was traditionally difficult or to acting head teachers who had been in post for a certain amount of time.

11. A further suggestion was that the Government consider if the regulations allow for a future scenario where there is both a primary and secondary sector Standard for Headship. Related to this one respondent said the draft regulations do not sufficiently acknowledge the specialist ASN sector.

Question 2 – Do the exemptions allow for appropriate flexibility in relation to the staffing of schools?

12. The majority of respondents were in agreement that head teachers currently in post should be considered to have met the Standard for Headship as they will be demonstrating their skills. They, therefore, agreed that there was no need for them to undertake the “Into Headship” programme.

Question 3 – Is the 24 month maximum limit for the duration of temporary appointments to the role of Head Teacher (where a person does not have the Standard for Headship) an appropriate limit and does it allow education authorities and grant-aided schools sufficient flexibility?

13. Most respondents said that there was a need to avoid a situation where temporary contracts were repeatedly renewed. Some thought that this clause may allow employers to keep acting head teachers in posts without proper qualifications. Others had the different opinion that the draft regulations gave flexibility that was needed to balance complex staffing situations.

14. The point was made that parents, who are represented on appointment panels, are generally against acting appointments. Four local authorities said that the draft regulations should be changed to reflect a situation where employers can appoint on a permanent basis a teacher who has yet to meet the Standard for Headship. This could be on the proviso that the teacher has up to three years to complete the “Into Headship” programme. This would enable the post to be more attractive to teachers and allow a degree of flexibility in completion for teachers where circumstances such as illness or maternity leave occurs.

15. Respondents said that the draft regulations allow for a situation where a competent acting head teacher gets replaced after 24 months by another acting head teacher even when the employer wants to continue the arrangement. Another scenario is that employers put off a permanent appointment to wait for the acting head teacher to achieve the Standard for Headship.

16. Some respondents asked for assurances around acting head teachers getting automatically on the “Into Headship” programme and that they can start quickly to ensure they finish within the 24 month limit. Another point related to this was the

reputational damage done to an acting head teacher if they fail to complete “Into Headship” within the 24 months. One respondent asked that we allow 30 month temporary appointments to allow completion of the Into Headship programme. The longer timescale would allow for entry to the Into Headship programme at different points during the first academic year.

Question 4 – Is the coming into force date of 1 August 2019 reasonable both for the employers and aspirant Head Teachers?

17. Many respondents raised current difficulties with head teacher recruitment in rural areas, the primary sector and Catholic schools as a major factor to be considered before finalising the regulations. They linked this with the need to ensure that “Into Headship” produces enough teachers to increase the number of qualified applicants for posts. Other respondents asked that middle leadership capacity is built before the regulations are introduced and that annual workforce data is collected from local authorities.

18. There was feeling among several respondents that much more detailed work was required on head teacher workforce planning before the draft regulations could be finalized. Especially if that work pointed towards a shortage in the primary sector.

19. Some respondents felt that the implementation date of 1 August 2019 was arbitrary. The majority of local authorities felt that due to the wider changing policy context including the Governance Review and the Head Teacher Recruitment Working Group that more sensible and realistic dates would be either 2020 or 2021. This was also supported by organisations such as EIS, SLS and AHDS. Several individual respondents were content with the implementation date as were a few local authorities. This request links to the earlier request at paragraph 14 where the implementation date would not need pushed back if there was a provision for permanent appointment on the proviso that Into Headship was completed within 3 years.

Question 5 – Are there any other comments you would like to add regarding this consultation?

20. Overall the draft regulations were welcomed but a note of caution was urged that we guard against introducing an extra barrier that will result in the unintended consequence of decreasing applicants for head teacher posts.

21 Several respondents said that head teacher recruitment and, therefore, these draft regulations were linked heavily to issues such as salary differentials for promoted staff, head teacher duties and how they may change post Governance Review. Workload issues for head teachers were also relevant following the introduction of extra duties due to the Education Act 2016 and the Pupil Equity Fund.

22. Some respondents said that it was essential that the “Into Headship” programme is fully funded by the Scottish Government and that employers ensure protected time for participants to avoid high drop-out rates. Others asked if alternative programmes would be introduced as they felt that “Into Headship” did not have the necessary practical edge to it. Another point on “Into Headship” related to whether it could be scaled up to meet growing demand.

23. Some respondents suggested that the Standard for Headship would need to change to reflect new duties of head teachers and that ongoing assessment of head teachers against the Standard was important and could involve HIGIOS reports.

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