

The Head Teachers Education and Training Standards (Scotland) Regulations 2019

**Child Rights and Wellbeing Impact
Assessment (CRWIA)**

August 2019

**THE HEAD TEACHERS EDUCATION AND TRAINING STANDARDS
(SCOTLAND) REGULATIONS 2019 – CHILDREN’S RIGHTS AND WELLBEING
IMPACT ASSESSMENT**

The Head Teachers Education and Training Standards (Scotland) Regulations 2019 Children’s Rights and Wellbeing Impact Assessment (CRWIA)	
Executive Summary	<p>Legislation was introduced through the Children and Young People (Scotland) Act 2014, for all new policies and legislation to undertake a CRWIA, commenced on 15 June 2015.</p> <p>It is the intention of the Scottish Government that all provisions in The Head Teachers Education and Training Standards (Scotland) Regulations 2019 will improve the skills and expertise of all headteachers. School education is an area which affects the vast majority of children in Scotland, and as such children’s rights and wellbeing will be affected by the provisions of these regulations.</p> <p>We consider that of the articles in the UNCRC the Head Teachers Education and Training Standards (Scotland) Regulations 2019 relate to:</p> <ul style="list-style-type: none"> • Article 3: The best interest of the child • Article 6: The right to develop through life • Article 12: Respect of the views of the child • Article 28: The right to an education • Article 29: I have the right to an education which develops my personality, respect for others’ rights and the environment. <p>We consider that of the eight wellbeing indicators (safe, healthy, achieving, nurtured, active, respected, responsible, included (SHANARRI) The Head Teachers Education and Training Standards (Scotland) Regulations 2019 relate to:</p> <ul style="list-style-type: none"> • Safe: Protected from abuse, neglect or harm at home, at school and in the community. • Achieving: Being supported and guided in their learning and in the development of their skills, confidence and self-esteem at home, at school and in the community. • Included: Having help to overcome social, educational, physical and economic inequalities and being accepted as part of the community in which they live and learn. • Nurtured: Having a nurturing place to live in a family setting, with additional help if needed, or, where possible, in a suitable care setting.

	<p>This CRWIA was informed by a range of evidence, including a public consultation which was undertaken from December 2016 to March 2017, https://www.gov.scot/Resource/0051/00511400.pdf .</p>
<p>Background</p>	<p>Since 2005 there has been an expectation that teachers should meet the Standard for Headship before being appointed as a headteacher by completing either one of two programmes (the Scottish Qualification for Headship or the Flexible Route to Headship) or through the judgment of the local authority as their employer. The two programmes are no longer available and were replaced by the Into Headship programme in 2015.</p> <p>In 2015 the First Minister announced that the Scottish Government would make it a legal requirement that all new headteachers must hold the Standard for Headship. The Scottish Government document “Delivering Excellence and Equity in Scottish Education – A Delivery Plan for Scotland” stated that ‘We will make holding the Standard for Headship mandatory for all new headteachers by August 2019 and will consult by the end of 2016 on the legislation that will achieve this.’</p> <p>Powers were acquired under the Education (Scotland) Act 2016, whereby section 28 amended the Education (Scotland) Act 1980 by inserting section 90A and 98DA into the 1980 Act which allows Scottish Ministers to make regulations prescribing the standards of education and training needed before a person can be appointed as a headteacher of an education authority, grant-aided or independent school. There was agreement during the passage of the Bill that the regulations relating to the independent sector would be delayed until after those covering the education authority and grant-aided sectors came into force and the new requirement for all teachers in independent schools to be registered with the GTCS had become embedded. Section 28(1), which covers local authority and grant aided schools, came into force on 1st January 2017. Section 28(2) covers independent schools and is not yet in force.</p> <p>The Standard for Headship is part of a suite of Teaching Standards that are developed by the GTCS. The Standard for Headship supports the self-evaluation and professional learning of those in, or aspiring to, formal leadership roles in schools. All teaching standards are underpinned by the themes of values, sustainability and leadership and are integral to professional relationships and practices. The Standard for Headship is awarded by the GTCS on completion of the Into Headship programme, which is delivered by university providers and accredited by both the Scottish College for Educational Leadership (SCEL), who are now incorporated into Education Scotland, and GTCS.</p> <p>Seven universities are delivering the Into Headship programme and since it started in 2015, 255 teachers across all 32 local authorities have completed the programme. The programme costs the Scottish Government £3000 per participant in fees and administrative costs provided to SCEL in the region of £95,000 per annum. A public consultation took place from December 2016 to March 2017 (https://www.gov.scot/Resource/0051/00511400.pdf) and</p>

	<p>received 42 responses. The Scottish Government response was published in April 2017 and can be viewed at https://www.gov.scot/publications/consultation-draft-head-teacher-education-training-standards-scotland-regulations/. The Scottish Government fully considered the responses which indicated that the majority of respondents supported the terms of the Regulations. The main area of concern was the implementation date of August 2019 along with the length of time, 24 months, being allowed for a teacher who was appointed to a headteacher post on a temporary basis without having completed the Into Headship qualification and been awarded the Standard for Headship. There was also a desire by a few to extend the regulations to local education authority staff and criticism that they may limit local authority flexibility. Others commented that parents are not generally in favour of acting appointments. All comments were given full consideration as to whether they should be reflected in the Regulation. However, it was concluded that the Regulations should be revised in 2 aspects. The implementation should be moved forward to August 2020 and the length of time allowed for temporary headteacher appointments should be extended from 24 to 30 months.</p>
<p>Scope of the CRWIA</p>	<p>The likely effects of The Head Teachers Education and Training Standards (Scotland) Regulations 2019 were assessed through a range of evidence, including a full public consultation.</p>
<p>Children and young people's views and experiences</p>	<p>Children and young people's views and experiences were not actively sought on the regulations. The research undertaken by the GTCS and Children in Scotland on 'What makes a good teacher', http://www.gtcs.org.uk/News/teaching-scotland/75-what-makes-a-good-teacher.aspx completed after the consultation on the proposed regulations were reflected upon in developing this impact assessment.</p>
<p>Key Findings</p>	<p>The available evidence, including discussions with policy leads and stakeholders, did not suggest that there will be any negative impact on either children's rights or wellbeing as a result of the commencement of any provision within the regulations.</p> <p>Introducing the requirement that all headteachers must have been awarded the Standard for Headship by the GTCS will affect all children in local authority and grant-aided schools. It will benefit these children positively by ensuring that headteachers have the knowledge, skills and understanding required of senior leaders to deliver high quality learning and teaching. Leadership is recognised as one of the most important aspects of the success of any school. Leaders at all levels who are empowered, and who empower others to take ownership of their own learning, have a strong track record of ensuring the highest quality of learning and teaching. This in turn helps to ensure that all children achieve the best possible outcomes. Highly effective leadership is key to ensuring the highest possible standards and expectations are shared across schools to achieve excellence and equity for all.</p>

	<p>The continued improvements in the quality and standards of headteachers across all schools in Scotland will have a positive effect on children’s learning and support the policy of raising attainment for all and closing the poverty related attainment gap.</p> <p>This policy aligns with the GIRFEC approach as it puts the child’s best interest at its centre. Evidence shows a clear relationship between the quality of leadership and teaching and children’s outcomes. Policies that support and improve educational leadership should therefore have a positive knock-on impact on children’s outcomes.</p>			
Conclusions and Recommendations	<p>The Scottish Government has found that none of the provisions within the regulations impinge on any of the articles in the UNCRC or the indicators of wellbeing (SHANARRI) and that there are no issues that will impact negatively upon children.</p> <p>We would consider that any impact that the regulations do have on children would be positive or neutral. This is because the provisions not only comply with the UNCRC requirements, but have the potential to advance the realisation of children’s rights and wellbeing.</p> <p>The CRWIA, along with consultation analysis, use of research and on-going discussions with key stakeholders demonstrated that no policy change was required to achieve the best outcome for children.</p>			
Monitoring and review	<p>Responsible Officer: Shirley Anderson</p> <p>Timetable: Throughout the parliamentary process of the Regulations.</p> <p>Methodology: Through engagement with stakeholders and policy officials who represent children and young people.</p>			
Regulations	Aims of measure	Likely to impact on . . .	Compliance with UNCRC requirements	Contribution to SHANARRI wellbeing indicators
The Head Teachers Education and Training Standards (Scotland) Regulations 2019	To ensure that all new headteachers appointed to local authority or grant-aided schools from 2020 have been awarded the Standard for Headship	All children educated in local authority and grant-aided schools	<p>The policy does not impinge on any of the UNCRC articles.</p> <p>We would consider that it advances:</p> <ul style="list-style-type: none"> • Article 3 • Article 6 • Article 12 • Article 28 • Article 29 	<p>The policy does not impinge on any of the indicators.</p> <p>We would consider that it advances:</p> <ul style="list-style-type: none"> • Safe • Achieving • Included

Authorisation	
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