

- Title of Document:** Response to a consultation on the Headteachers' Qualifications and Registration (Wales) Regulations and Guidance 2005.
- Audience:** Consultation respondees, including - 10% sample of schools; professional associations; ITT providers; HEI's; FE institutions; diocesan organisations; LEAs; Estyn; GTCW; Education Departments; Wales NPQH Centre; NPQH holders; current NPQH candidates; NPQH Tutors.
- Overview:** This document outlines the response to a consultation outlining the draft Headteachers' Qualifications and Registration (Wales) Regulations and Guidance 2005.
- Action required:** No further action required.
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1. Background to the Consultation Exercise

Proposals requiring all first time headteachers to hold a professional qualification have been considered as part of the strategy for raising the quality of school leadership in Wales since 1999. A proposal to make the NPQH mandatory in Wales by 2005 was set out in the 1999 Green Paper "The Best for Teaching and Learning."

In September 2002, the Assembly Government's Teaching and Leadership Division published a consultation document proposing the introduction of a mandatory requirement for first-time headteachers in Wales to hold the National Professional Qualification for Headship (NPQH).

Over 81% of respondents to the original consultation were in favour of the implementation of a mandatory NPQH qualification in Wales from 1 September, 2005. Copies of the consultation response document are available via the Welsh Assembly Government website at www.learning.wales.gov.uk.

Powers to make regulations to implement a requirement for headteachers to hold a specified qualification and to require headteachers to register with GTCW are contained in Sections 134, 135, 145 (1) and (2) 210 (7) of the Education Act 2002.

2. Consultation Exercise – September 2004

On September 27, 2004, the Assembly Government's Teaching and Leadership Division published a bilingual consultation document focusing upon the *Headteachers' Qualifications and Registration (Wales) Regulations and Guidance 2005*. The document was distributed to representatives of the following organisations:-

- 10% sample of schools across Wales.
- Professional Associations.
- Directors of Education.
- Diocesan Organisations.
- ITT Providers.
- FE/HE Institutions.
- GTCW.
- Estyn.
- Education Departments.
- Wales NPQH Centre.
- Sample of NPQH graduates.
- Sample of NPQH candidates.
- NPQH Tutors.
- Diocesan Organisations.
- NPQH Project Board.
- CELT Management Team.

An electronic version of the document and on-line response proforma were also made available via the Assembly's Learning Wales internet site @ www.Learning.Wales.gov.uk. The deadline for the submission of responses to the main consultation proposals was November 22, 2004.

3. Consultation Questions - September 2004

The consultation document addressed the following consultation questions/issues:

- (i) Are you content that all first-time substantive headteachers in Wales will be required to hold the National Professional Qualification for Headship (NPQH) after September 1, 2005?
- (ii) Are you content that all first-time substantive headteachers in Wales will be required to hold qualified teacher status (QTS) after September 1, 2005?
- (iii) Are you content that all first-time substantive headteachers in Wales will be required to register with the General Teaching Council for Wales (GTCW) after September 1, 2005?
- (iv) Are you content with the recommendation on page 4 that the Regulations should not apply to serving and acting headteachers?
- (v) Are you content with the reciprocal arrangements across the home countries outlined on page 9?
- (vi) Section 5 of the consultation document includes a copy of the statutory instrument. We would welcome your comments in response to the draft Regulations.

4. Responses to the Consultation Document

A total of 74 replies were received in response to the consultation document. A detailed breakdown of respondents is provided below:

Individual	Number of respondents
Assistant Headteacher	2
Classroom Teacher	2
Deputy Headteacher	22
Head of Year/Faculty/Department	3
Headteacher	28
LEA Adviser	1
NPQH Tutor	1
Other	1
TOTAL	60 (81%)

Organisation	Number of respondents
Diocesan Body	2
Governing Body	1
LEA College/Institution	4
Professional Association/Trade Union	5
Other	2
TOTAL	14 (19%)

5. Executive Summary

Overall, **91% of respondents supported the introduction of a mandatory qualification for all first-time headteachers in Wales from September 1, 2005.** The breakdown of consultation respondees outlined in Section 4 clearly indicates that a high percentage of replies (over 70%) were received from deputy headteachers and school leaders. The overwhelming positive response to the consultation confirmed that the Regulations and Guidance are fit for purpose and should support the implementation of the mandatory NPQH from September 1, 2005.

CONSULTATION QUESTION	SUMMARY RESPONSE
Q1. Are you content that all first-time, substantive headteachers in Wales will be required to hold the National Professional Qualification for Headship (NPQH) after September 1, 2005?	91% of respondents welcomed the introduction of a mandatory qualification for all first time headteachers in Wales.
Q2. Are you content that all first-time headteachers in Wales will be required to hold qualified teacher status (QTS) after September 1, 2005?	96% of respondents were in favour of the proposal to introduce a mandatory requirement for all first-time, headteachers to hold QTS after September 1, 2005.
Q3. Are you content that all first-time substantive headteachers in Wales will be required to register with the General Teaching Council for Wales (GTCW) after September 1, 2005?	99% of respondents were in favour of the introduction of requirement for all first time headteachers to register with GTCW after September 1, 2005.
Q4. Are you content with the recommendation that the Regulations should not apply to serving and acting headteachers?	85% of respondents were content with the recommendation that the Regulations should not apply to serving and acting headteachers:
Q5. Are you content with the reciprocal arrangements across the home countries?	93% of respondents approved the proposed reciprocal arrangements to recognise the headship qualifications across the four home countries.

A detailed summary of responses to the consultation questions along with specific comments from individual respondees is provided at **Annex A**.

6. Future Developments

6.1 Implementation of the Regulations

In view of the positive response to the consultation exercise, there will be no amendments to the Regulations. The Regulations will come into force on September 1, 2005. All schools will receive additional information regarding mandatory implementation during the Summer Term.

6.2 Response to key issues raised within the consultation

(i) NPQH Funding

During the 2002 and 2003 recruitment rounds, sufficient funding was made available to support 379 NPQH candidates. During the 2004 Recruitment Round, 84% of eligible applicants were granted central funding. To further ensure consistent support for school leaders in Wales, from 2005/06 funding to support the NPQH Programme has been removed from the Better Schools Fund. A separate funding stream, outside BSF has been identified from September 2005, to coincide with the introduction of a mandatory qualification. During 2005/06, £1,550,000 will be made available to support the National Headship Development Programme, including £750,000 for the NPQH.

(ii) Access to the NPQH Programme

The Assembly Government is currently co-ordinating arrangements for a National Consultation Conference from February 24-25th to re-focus the National Headship Development Programme in Wales. This event will provide an opportunity to seek the views of the profession in response to proposed revisions to the recruitment criteria for the NPQH Programme from September 2005. In light of current practice within Northern Ireland and Scotland, it is intended to consult on the possibility of requiring all candidates to either have reached the threshold or have at least 5 years teaching experience. In addition, proposals are being considered for regional panels to further standardise the selection process and ensure greater equality of opportunity for potential applicants.

(iii) Phased Mandatory Implementation

In the move towards mandatory implementation, development work has focused upon modelling current NPQH data to ensure the availability of an appropriate pool of candidates to meet the requirements of future headship vacancies in Wales. Current data reveals that there is an adequate supply of NPQH graduates to meet future recruitment demands in Wales. Over 650 teachers currently hold the qualification, 197 are currently serving headteachers. Over 200 candidates are currently working towards the qualification. The annual recruitment round for 2004 was fully subscribed, with a further 160 candidates commenced the qualification in January 2005.

All candidates who wished to apply for the NPQH prior to the introduction of the mandatory requirement have had sufficient opportunities to access the qualification. The Assembly Government's intention to introduce a mandatory headship qualification in Wales was originally announced in July 2003 following a national consultation exercise.

(iv) Reciprocal Recognition

The National Professional Qualification for Headship became a mandatory requirement in England in April 2003. The Education (Headteachers' Qualifications) (England) Regulations 2003 recognise the equivalence of the National Professional Qualification for Headship in Wales. Similarly, the NPQH is regarded to be equivalent to the Scottish Standard for Headship and the Professional Qualification for Headship (PQH) in Northern Ireland however the Scottish Standard for Headship or the PQH NI are not yet mandatory requirements.

6.3 Launch of a new NPQH Programme from January 2006

In light of the pending launch of the new National Standards for Headteachers in 2006 and the evolving Learning Country Agenda, the Assembly Government will launch a revised NPQH Programme in Wales from January 2006. The new programme will be informed by evaluative feedback from Estyn and independent research commissioned by the Assembly Government, together with feedback from NPQH candidates and trainers.

ANNEX A: SUMMARY RESPONSE TO THE CONSULTATION QUESTIONS

QUESTION 1: Are you content that all first-time, substantive headteachers in Wales will be required to hold the National Professional Qualification for Headship (NPQH) after September 1, 2005?

INDIVIDUAL RESPONSE	Assistant Head	Classroom Teacher	Deputy Head	Head of Year/Faculty/Dept	Headteacher	LEA Adviser	NPQH Tutor	Other	TOTAL	
Yes	2	1	22	3	28	0	1	1	58	97%
No	0	1	0	0	0	1	0	0	2	3%

ORGANISATION RESPONSE	Diocesan Body	Governing Body	LEA/College/Institution	Professional Association	Other	TOTAL	
Yes	1	1	3	2	2	9	64%
No	1	0	1	3	0	5	36%

SUMMARY RESPONSE
91% of respondents welcomed the introduction of a mandatory qualification for all first time headteachers in Wales.

INDIVIDUAL COMMENTS

'As a successful NPQH candidate I cannot underestimate its value, it was worthwhile and allowed me the opportunity to learn from and share experiences with others.'
 [Deputy Headteacher]

'There has been sufficient warning of this requirement, publicised well in advance, for the benefit of any person wishing to prepare for Headship' [Professional Association]

'Gobeithio fydd hyn yn rhoi cyfle i athrawon brwdfrydig ac ymroddedig sydd wedi ennill y cymhwyster, gael y swyddi maent yn eu haeddu.'
[Pennaeth blwyddyn/cyfadrn/Adran]

A limited number of respondents (9%) were not in favour of the proposal to introduce a mandatory headship qualification in Wales. A small number of comments related to the timing of the introduction of a mandatory qualification:

'As a professional body we clearly see the need for a professional qualification. However, 2005 is too early.' [Professional Association]

In addition, some concerns were raised regarding the number of applicants for headship posts:

'Applications are significantly down for small schools; church schools and Welsh medium schools.' [LEA Adviser]

'Ni Chredwn fydd digon wedi meddu ar y cymhwyster hwn erbyn Medi 1, 2005. Os ddaw hyn i rym, rydym yn rhagweld anhawster mawr i lenwi swyddi penaethiaid.'
[Cymdeithas Broffesiynol]

FURTHER ISSUES

7% of respondees were also in favour of the introduction of a requirement to enable first time headteachers to work towards the NPQH qualification during their first years in post:

'Rather than introduce the requirement immediately it would be much better to allow a 5 year transitional period during which "working towards" the qualification was sufficient to enable an appointment.' [LEA]

QUESTION 2: Are you content that all first-time headteachers in Wales will be required to hold qualified teacher status (QTS) after September 1, 2005?

INDIVIDUAL RESPONSE	Assistant Head	Classroom Teacher	Deputy Head	Head of Year/Faculty/Dept	Headteacher	LEA Adviser	NPQH Tutor	Other	TOTAL	
Yes	2	1	22	3	28	1	1	1	59	98%
No	0	1	0	0	0	0	0	0	1	2%

ORGANISATION RESPONSE	Diocesan Body	Governing Body	LEA/College/Institution	Professional Association	Other	TOTAL	
Yes	2	1	4	4	1	12	86%
No	0	0	0	1	1	2	14%

SUMMARY RESPONSE

96% of respondents were in favour of the proposal to introduce a mandatory requirement for all first-time, headteachers to hold QTS after September 1, 2005.

INDIVIDUAL COMMENTS

'Direct experience and knowledge of school based teaching and learning is vital in preparation for Headship.' [Professional Association]

'How can a headteacher be a lead learner on issues relating to teaching if they are not qualified teachers?' [Deputy Headteacher]

'I have worked recently on the "Narrowing the Gap" Initiative. In all of the schools visited it was obvious that in outstanding schools the Head is seen as the Lead professional.' [NPQH Tutor]

A limited number of respondents (4%) were not in favour of this proposal.

'Requiring QTS may preclude the possibility of innovative approaches to school leadership in the future.' [Estyn]

'For a person to be an applicant for Headship, it is unlikely that they will be considered without substantial experience. It may rule out some very good candidates unnecessarily.' [Professional Association]

QUESTION 3: Are you content that all first-time substantive headteachers in Wales will be required to register with the General Teaching Council for Wales (GTCW) after September 1, 2005?

INDIVIDUAL RESPONSE	Assistant Head	Classroom Teacher	Deputy Head	Head of Year/Faculty/Dept	Headteacher	LEA Adviser	NPQH Tutor	Other	TOTAL	
Yes	2	1	22	3	28	1	1	1	59	98%
No	0	1	0	0	0	0	0	0	1	2%

ORGANISATION RESPONSE	Diocesan Body	Governing Body	LEA/College/Institution	Professional Association	Other	TOTAL	
Yes	2	1	4	5	2	14	100%
No	0	0	0	0	0	0	

SUMMARY RESPONSE
99% of respondents were in favour of the introduction of requirement for all first time headteachers to register with GTCW after September 1, 2005.

INDIVIDUAL COMMENTS

'As it is a requirement for all teachers the requirement should be the same for Headteachers.' [Headteacher]

'Absolutely. This is essential if the GTCW is to continue to develop its influence and grow in status.' [Headteacher]

'This is an important regulatory body and helps to maintain standards within the profession.' [Headteacher]

QUESTION 4: Are you content with the recommendation that the Regulations should not apply to serving and acting headteachers?

INDIVIDUAL RESPONSE	Assistant Head	Classroom Teacher	Deputy Head	Head of Year/Faculty/Dept	Headteacher	LEA Adviser	NPQH Tutor	Other	TOTAL	
Yes	2	1	20	3	21	0	1	1	49	82%
No	0	0	2	0	7	1	0	0	11	18%

ORGANISATION RESPONSE	Diocesan Body	Governing Body	LEA/College/Institution	Professional Association	Other	TOTAL	
Yes	2	1	4	5	2	14	100%
No	0	0	0	0	0	0	

SUMMARY RESPONSE

85% of respondents were content with the recommendation that the Regulations should not apply to serving and acting headteachers:

INDIVIDUAL COMMENTS

'It would be logically very difficult to organise.' [Headteacher]

'It would be difficult to apply this to Heads already in post. If it were applied to Acting Heads the logistics could become very difficult - do you push an experienced Deputy aside in order to put an NPQH candidate in the school?' [NPQH Tutor]

15% of respondents were not in favour of this recommendation, a number of respondents reflected that the mandatory NPQH requirement should apply also to acting headteachers:

'I believe that any person (other than serving H/T's) appointed to the role of Head even in an acting capacity should, unless the acting role is for a short-term period (eg. 1 term) have the NPQH Qualification.' [Headteacher]

'Acting Heads should only be appointed if they hold the NPQH or are currently pursuing the qualification.' [Deputy Headteacher]

8% of respondents also commented that serving headteachers would benefit from the NPQH:

'I feel strongly that serving Headteachers should also hold this qualification, as I am aware of the benefit of NPQH and how it helped me in various issues.' [Headteacher]

'Allow serving Heads to complete a version of NPQH over the next 3 or 4 years. This would be applied to all serving Heads under the age of 50 if the Head requested it.' [Headteacher]

FURTHER ISSUES

A number of respondents also raised further issues not directly related to the consultation question, regarding the duration of acting headship appointments:-

'Would prefer to see a timescale placed upon the period of time deemed satisfactory for an Acting Headship to be in place.' [LEA]

'It could be worthwhile to limit the length of time a school could be led by somebody without NPQH e.g. one year.' [NPQH Tutor]

'There is no limit on how long a teacher may serve as an acting HT. This is contrary to the thrust of the proposed NPQH requirement.' [Estyn]

A number of respondents also reflected upon the requirement for ongoing CPD for serving headteachers:

'Serving Headteachers should be encouraged to develop and undertake further training such as PHIP.' [Deputy Headteacher]

'Serving Heads should continue their professional development with recognised qualifications.' [Deputy Headteacher]

In addition, **a number of respondents** raised issues in relation to the consideration of the prior experience of acting headteachers:

'Should there be a time set after which Acting Heads will not have to gain the qualification if moving to another headship. There could be an anomaly if a Head taking up a post immediately before Sept 2005 is not required to hold the NPQH but an Acting Head would, even though they have been acting for several years (it does happen!)' [Headteacher]

'There are a number of acting Headteachers who have served their school, governing body and LEA well more than 3 years. There is no recognition of their experiences or professionalism if this acting period is not counted.' [LEA Adviser]

QUESTION 5: Are you content with the reciprocal arrangements across the home countries?

INDIVIDUAL RESPONSE	Assistant Head	Classroom Teacher	Deputy Head	Head of Year/Faculty/Dept	Headteacher	LEA Adviser	NPQH Tutor	Other	TOTAL	
Yes	1	2	21	3	27	1	1	1	57	95%
No	1	0	1	0	1	0	0	0	3	5%

ORGANISATION RESPONSE	Diocesan Body	Governing Body	LEA/College/Institution	Professional Association	Other	TOTAL	
Yes	2	1	4	3	2	12	86%
No	0	0	0	2	0	2	14%

SUMMARY RESPONSE

93% of respondents approved the proposed reciprocal arrangements to recognise the headship qualifications across the four home countries.

INDIVIDUAL COMMENTS

'It is very important that reciprocal recognition of the Welsh NPQH is made in England and Scotland.' [Deputy Headteacher]

'This school, along with similar border schools must be able to secure the best person without the need to impose additional burdens on potential candidates.' [Governing Body]

'Teaching close to the Wales/ England border - is an issue and the reciprocal arrangements make sense and are very clear.' [Deputy Headteacher]

A limited number of respondents (7%) were not in agreement with the proposed reciprocal recognition arrangements. There were some concerns that such arrangements were not yet confirmed:

'It seems "unfair" that the NPQH has not been fully established as acceptable across the border.' [Assistant Headteacher]

'Would like recognition that the NPQH for Wales is a recognised qualification within the other home countries.' [Deputy Headteacher]

*'It is essential that NPQH gained in Wales is mutually recognised in Scotland & Northern Ireland, if it is to have the necessary professional credibility. ***** would, therefore, invite the Assembly officials to resolve this matter at the earliest opportunity.'* [Professional Association]

FURTHER ISSUES

Some respondents raised concerns regarding the additional entry requirements for headship across the four home countries:

'Each country must ensure that candidates have a clear understanding of additional requirements as part of initial NPQH training.' [Headteacher]

Specific Comments in response to the draft Statutory Instrument

The majority of comments provided by respondents who chose to submit further evidence were highly supportive:

'The regulations appear to reflect the consultation document and are easily accessible.' [Headteacher]

'The S.I. is clear and concise, leaving the reader in no doubt as to the necessary qualifications required to achieve the status of H/T e.g. the consultation document outlines the different requirements of an Acting H/T and the S.I. notes this effectively.' [Head of Year/Faculty/Department]

'Rwyf yn croesawu'r ddogfen a'r ddeddf.' [Pennaeth Blwyddyn//Cyfadran/Adran]

'As leaders it is important that we have a clear uniformed direction & promote high standards. We should have explicit aims & values that promote equality for all & the "statutory instruments" can only promote professional development & improve quality & provision.' [Headteacher]

Some respondents requested further clarity in relation to the following issues:

(i) **Issue: Deputy Headteacher Role**

'Should be stated that the Deputy Headteacher should carry out functions in the first instance.' [Deputy Headteacher]

'The Deputy Headteacher should carry out the functions. I am concerned that in all the documents at present there is never any mention of the Deputy.' [Deputy Headteacher]

'Point 6 - "any person" - does this need to specify "deputy headteacher?" so that this role is given clarity. I appreciate that on certain occasions another HT may be requested to fulfil the role.' [Deputy Headteacher]

Welsh Assembly Government Response

The current definition within Section 6 of the Regulations ensures maximum flexibility in the interpretation of the Regulations.

(ii) Equivalent Educational Institutions

Section 1.(3) (c) - "similar educational institution outside Wales or England" - This is too vague. The statement should cover Scotland and Northern Ireland, and the countries of the European Union explicitly. There might then be an additional regulation, 1(3) (d) indicating that the LEA should assist the appointing body by arbitrating on the appropriateness of "educational institutions" elsewhere.'
[Professional Association]

Welsh Assembly Government Response:

Section 1. (3) (c) will cover headteachers from countries outside of the EU. After September 1, 2005 persons in such countries who have obtained a headship post will not be permitted to take up a headship post in Wales unless they come within the requirements outlined within Section 1. (3).

(iii) Issue: Relevance of the SI to Church Schools

'The definition of "school" in the section headed interpretation, does not mention church schools. I am unclear about whether the regulations apply to them.' *[NPQH Tutor]*

Welsh Assembly Government Response:

The regulations will apply to all schools included within the definition. 'Maintained school' normally means a community, foundation, voluntary (controlled or aided i.e. church school) or special (community or foundation) school.' (SSFA 1998, S.20 (6))

(iv) Issue: Discrimination against Serving Headteachers

'The statutory instrument makes no mention of serving Headteachers. Should the statutory Instrument clarify the position of serving Headteachers seeking to take up a new Headship? Will LEA's and Govt bodies be offered advice on anti-discriminatory policies re: -serving heads v NPQH graduates/ candidates as part of their appointments and personnel procedures?' *[Headteacher]*

Welsh Assembly Government Response:

Section 1 (3) of the Statutory Instrument states that:-

'These Regulations will not apply to a person who has, before the coming into force of these Regulations, been appointed as a headteacher of:

- (a) a school in Wales or England maintained by a local education authority or a special school in Wales or England not so maintained by a local education authority;*
- (b) an independent school in Wales or England;*
- or*
- (c) a similar educational institution outside Wales or England.'*

(v) Issue: Reciprocal Recognition

How do we ensure consistency of training and level of qualification between countries?

Welsh Assembly Government Response:

In order to ensure consistency in the standard of training and development delivered across the home countries, the final assessment component of the National Professional Qualification for Headship (NPQH) is currently moderated on a Wales/England basis. In addition, the Assembly Government's Professional Headship Induction Programme (PHIP) which supports newly appointed heads during their first two years in posts facilitates integration into the educational context in Wales.

(vi) Duration of Acting Headships

'I have major concerns about Acting Heads. They are expected to take schools through inspections and "lead the way" without any guarantee of appointment. Certain LEA's let this situation run for far too long and it should be stopped.'
[Headteacher]

Welsh Assembly Government Response:

There is no specific legislation regarding the duration of acting headship appointments however, current legislation recognises that an acting headship post is not a permanent appointment. Issues relating to the tenure of acting headship appointments is a matter for further consideration by local education authorities.

ANNEX B: OTHER ADDITIONAL COMMENTS FROM RESPONDEES

Details of outstanding issues raised by respondents in response to matters not addressed in the context of the consultation are outlined below:

Timing of Mandatory Implementation

'I feel that all Headteachers appointed during the next 12 months should hold the NPQH, not those appointed from September 2005.' [Headteacher]

NPQH Funding

'The inequitable funding situation re NPQH applicants this year needs to be taken into account.' [LEA Adviser]

Working Towards Requirement

'To phase in the requirement to hold NPQH I feel that applicants for first Headships should be registered as having a confirmed place on NPQH prior to application as in England.' [Diocesan Body]

Continuing Professional Development

'It would be useful to indicate the CPD progression route for Headteachers, (NPQH-PHIP-LPSH) - if these are to be maintained.' [Headteacher]

'I believe NPQH should be revisited every 5 years, in the way nurses must complete study days to keep their skills up to date if they want to keep their qualifications valid.' [Head of Year/Faculty/Department]

Accessing the NPQH

'Is there any way that the DfE and Welsh Assembly Govt. can standardise entry requirements further to ensure equity in the application process?' [Head of Year/Faculty/Department]

Reciprocal Recognition

'The National Assembly needs to consider additional training for Headteachers/candidates who hold similar qualifications from home countries in respect of key areas relevant to Wales only such as Bilingualism, Welsh Second Language and differences in the general curriculum.' [Headteacher]

A response to a number of the issues raised above is provided within **Section 6**.