



**COMMISSION
ON SCHOOL
REFORM**

**Draft head teacher and training
standards (Scotland) regulations**

**Response of the Commission on
School Reform**

March 2017

Membership of the re-convened Commission on School Reform is as follows:

- **Keir Bloomer (Chair):** Education Consultant and former Director of Education
- **Rowena Arshad:** Head of Moray House School of Education
- **Sarah Atkin:** Currently works in a secondary school, formerly a Parent Council Chair and researcher for education conferences. Labour Party member.
- **John Barnett:** Business consultant and former Parent Council Chairman
- **Jamie Cooke:** Head of RSA Scotland
- **Jim Goodall:** Former Head of Education and Community Services at Clackmannanshire Council.
- **Frank Lennon:** Former Head of Dunblane High School
- **Judith McClure:** Convener of Scotland-China Education Network and former headteacher
- **Cllr Paul McLennan:** SNP Councillor in East Lothian
- **Morag Pendry:** Education Development Manager at the Coperative Education Trust Scotland
- **Louise Stevenson:** Performance Adviser with Inspiring Scotland's 14-19 Programme
- **Lesley Sutherland:** Board member, the Centre for Scottish Public Policy

Introduction

There are 4 questions only – Question 5 is an invitation to add “any other comments” regarding the consultation. Though Question 1 does ask about the “scope” of the regulations, all 4 questions focus on the process of implementation specifically the timescale, exemptions and flexibility envisaged. What follows are brief responses to each of the 4 questions followed by a general discussion under ‘other comments’ invited in Question 5, of issues some of which arise from the paper’s ‘Section 2 Context’.

Question 1

Do you agree with the scope and exemptions of the Regulations?

Scope

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 to such posts. The Standard for Headship is defined as “...the professional standard awarded to a person by the GTCS in terms of the GTCS’s functions under the Public Services Reform (General Teaching Council for Scotland) Order 2011. If satisfied that the person meets the requirements in the GTCS Registration and Standard Rules 2014 (rule 7.1.3), then such a person may be appointed by education authorities and managers of grant-aided schools as Head Teachers. The Commission sees this definition as both sensible and flexible since it does not require potential candidates to have completed a *specific* course (such as the ‘Into Headship’ course), but merely to evidence that they have met the GTCS standard.

Exemptions

The Commission agrees that the exemptions envisaged are equally sensible: Regulation 3(1) provides that the general requirement does not apply to a person appointed as a permanent Head Teacher of a school by an education authority, manager of a grant-aided school or an independent school on or before 1st August 2019. It also helpfully exempts any person that has been a Head Teacher of such schools at any point before 1st August 2019, but who is not in post on that date. From a local authority perspective, Regulation 3(2) crucially provides an exemption for persons who do not hold the Standard for Headship so that they may be appointed to a temporary Head Teacher role at education authority and grant-aided schools on or after 1st August 2019 provided the appointment does not exceed 24 months. This also has the effect of allowing an authority to appoint a Head Teacher on a temporary basis on more than one occasion, again provided the temporary appointment(s) do not exceed 24 months. The Commission therefore welcomes all of the exemptions.

Question 2

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

Yes. The fact that the draft regulations will not affect the status of current Head Teachers or those who have been in a Head Teacher post previously in their career is greatly to be welcomed. However, teachers appointed on an acting/temporary basis to a Head Teacher position on or after 1 August 2019 will be affected but only if their appointment is for a period longer than 24 months. This is similarly to be welcomed providing as it will, a necessary element of flexibility for local authority employers. Sensible exceptions are also provided for other categories of teachers such as those who are employed in education authority/grant aided schools who share that status but who move to another Head Teacher post.

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?

Yes. See comments above.

Question 4

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

This is open to question and is taken up under the “other comments” in Question 5 below.

Question 5

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

Yes, see below.

Other Comments

The Commission sees the key issues for Scottish education that lie behind the proposed regulations as:

- the quality of leadership in Scottish schools
- the quality of candidates applying for HT posts and
- the number of candidates applying for HT posts.

A related but equally important issue might be framed as a question thus: ‘Is the policy aim of improving “the quality of candidate applying for HT posts” capable of being met by “regulations” backed by statute? Clearly such issues and such an aim require more than the application to the system of a set of “Statutory Instruments”. The nature, content and experience of the CPD leading to whatever mandatory qualification(s) are to be required of potential HTs in Scotland is the real issue. The introduction of a set of regulations is not a ‘silver bullet’. Nevertheless the Commission welcomes their introduction at this point as signalling a strong attempt to raise the bar for Scottish educational leadership. However 4 of the 5 questions in the current consultation focus on scope, timeline and

exemptions - what might be regarded as superficial process issues. On the other hand there is a welcome invitation in Question 5 to comment more generally and the CSR duly takes up that invitation here.

Annex C of the consultation document states the SG's commitment to "taking an evidence-led approach to policy" (p22). However in the list of "Reference Materials" which follows, there is little in the way of evidence. Indeed only 2 of the references listed in this Annex provide any meaningful evaluation of any evidence whatever - the Association of Directors of Education in Scotland 'Report on Headteacher Recruitment' (September 2016)¹ and the Scottish Government 'Evaluation of Routes to Headship Research Report' (March 2014)². Interestingly, although this latter report found the programmes to be of good quality, it also found that possession of an SQH or FRH qualification did not appear to be valued by local authority employers as a prerequisite for appointment to a headship. The qualifications were considered desirable but not essential. Though no one course is being specified by the proposed regulations, the question is, now that such a qualification is mandatory and therefore "essential", will it continue to be seen as "desirable"? Be that as it may, the researchers, like the Commission, would no doubt be gratified to note that in the current proposals, the SG has heeded their advice and has avoided specifying any "single one-off qualification" (p6), referring instead to achieving the Standard for Headship.

Understandably perhaps the ADES 'Report on Head Teacher Recruitment' (March 2016) seemed more preoccupied with the need to improve levels of applications:

"The creation of a mandatory national qualification for aspiring Head Teachers is not in itself going to improve levels of applications for vacant posts and in the short term may have the opposite effect. (P7)

The need to improve the levels of applications for vacant HT posts is clearly of concern to ADES whose report included data on numbers of teachers who had "achieved the Standard for Headship". The following table (Table 1) is an updated version (February 2017) of the table in Appendix D (p20) of the 2016 ADES Report. That table has been updated to include a breakdown by sector:

¹ Accessible at <http://www.gov.scot/Publications/2016/09/2138>

² Accessible at <http://www.gov.scot/Publications/2014/03/8057>

Table 1: Standard for Headship (national) – FTE (updated February 2017)³

Authority	Number of HTs			HTs achieved Standard for Headship			Percentage of HTs achieved Standard for Headship			Other teachers achieved Standard for Headship		
	Primary Sector	Secondary Sector	ALL	Primary Sector	Secondary Sector	ALL	Primary Sector	Secondary Sector	ALL	Primary Sector	Secondary Sector	ALL
Aberdeen City			44			15			35%			7
Aberdeenshire			156			27			18%			17
Angus			46			32			70%			14
Argyll & Bute			59			25			43%			10
Clackmannanshire			24			7			29%			5
Dumfries & Galloway			77			33			43%			17
Dundee City			42			14			33%			6
East Ayrshire			52			23			44%			21
East Dunbartonshire			39			13			32%			9
East Lothian			39			17			44%			4
East Renfrewshire			29			15			53%			14
Edinburgh City			116			50			43%			33
Eilean Siar			18			2			10%			0
Falkirk			49			23			47%			10
Fife			141			78			56%			41
Glasgow City			182			61			34%			39
Highland			141			42			30%			14
Inverclyde			26			13			48%			8
Midlothian			35			9			26%			9
Moray			48			12			25%			7
North Ayrshire			53			21			40%			15
North Lanarkshire			154			71			46%			20
Orkney Islands			16			1			8%			1
Perth & Kinross			73			19			27%			10
Renfrewshire			60			16			27%			11
Scottish Borders			49			30			61%			13
Shetland Islands			27			3			11%			1
South Ayrshire			45			19			42%			9
South Lanarkshire			141			47			33%			18
Stirling			41			13			32%			8
West Dunbartonshire			39			19			48%			9
West Lothian			79			35			44%			14
Grant Aided			6			1			16%			0
Total			2145			807			38%			412

The above Table 1 includes columns for the insertion of data by sector which were unavailable at the time of completion of this response. However from the figures currently available, it appears that:

- 807 HTs in 2017 have achieved the Standard for Headship
- 412 other teachers have achieved the Standard for Headship.

Future levels of applications seem likely to be impacted by the numbers of teachers who have enrolled in the first 2 cohorts of the new 'Into Headship' qualification being delivered by SCEL through partnerships with seven universities. Although, as we have seen, the SG has taken the advice of its own 'Evaluation of Routes to Headship Research Report' (March 2014) and avoided specifying "...any single one-off qualification" (p6), the consultation document makes clear that 'Into Headship' is currently the only qualification available that results in the award of the GTCS Standard for Headship

³ Courtesy of David Roy of the Scottish Government's Learning Directorate

(p5). Because 'Into Headship' is for GTCS registered teachers whose next post will be head teacher "...within the next 2-3 years"⁴, the number of participants in the first 2 cohorts (September 2015 and September 2016) of this 18 month qualification is significant. Table 2 below, compiled using figures supplied by SCEL⁵, shows the data on the first two cohorts by sector:

Table 2: SCEL 'Into Headship'

Cohort 1	September 2015	72	Primary School
		73	Secondary School
		1	Special School
Total (All Sectors)		146	

Cohort 2	September 2016	107	Primary School
		60	Secondary School
		7	Special School
		9	Other
Total (All Sectors)		183	

It is to be hoped that the SG is compiling data like this and matching them to likely HT vacancies in 2019⁶ by sector across the country. Clearly the number of teachers likely to meet the mandatory qualification requirement by 2019 will have a bearing both on levels of applications and the answer to Question 4 ("Is the coming into force date of 1 August 2019 reasonable both for employers and aspirant Head Teachers?"). It was not possible to estimate from the data that SCEL provided for this table, how many of each cohort might meet the mandatory qualification level by June 2019 (by which time presumably most appointments for August 2019 will have been made). However, using the data from Tables 1 and 2 above and from other data published in the ADES (2016) Report some useful observations might still be possible. This Report (2016) listed the following findings of a survey of 22 Local Authorities in respect of their HT vacancies in the 28 month period between January 2011 and April 2013:

- Overall there were 436 HT vacancies across the 22 Authorities during this period;
- 103 (24%) of these posts had to be re-advertised during this period;
- Only 12 Primary HT vacancies attracted 10+ applicants;
- No denominational Primary HT posts attracted 10+ applicants;
- 75 denominational Primary HT posts came vacant of which 28 went unfilled;
- 45 Secondary HT posts were vacant and only 17 attracted 10+ applicants.

The ADES Report noted the absence of benchmarking data to make valid comparisons, but it did express concerns over the numbers of applicants to posts and over the quality of candidates for some posts. There were particular concerns in the denominational sector. The situation in the Primary sector was singled out as "very worrying" because of declining numbers of applicants and the fact that

⁴ 'Into Headship Programme 2017 / 2018' p2 Frequently asked questions

⁵ Courtesy of Lesley Whelan, Director of Programmes/Depute CEO, Scottish College for Educational Leadership

⁶ An updated version of the other table in Appendix D of the ADES (2016) Report: 'Headteachers over the age of 50 by local authority' might be relevant here and appears in Appendix 1 of this document.

approximately 24% of posts had to be re-advertised. The question that arises here is: has the situation improved since April 2013 (the end of the period surveyed) or since September 2016 when the SG published the ADES Report? Up-to-date, accurate and accessible data, perhaps using the above for benchmarking purposes, would be very helpful.

The period between March 2017 (the end of the current consultation period) and June 2019, by which time appointments under the proposed regulations would have to have been made, is also 28 months. If HT vacancies over this 28 month period were to be 436 (ie the same as for the 28 months quoted above in the ADES Report), the maximum number of “other teachers” who would be qualified under the new regulations and who would therefore be eligible applicants for these posts would be:

Table 3 Potential Eligible Applicants

Total of ‘other teachers achieved Standard for Headship’ (ADES Table 1)	412
‘Into Headship’ Cohort 1 (Sept 2015 completing in June 2017?) ⁷ SCEL Table 2	146
‘Into Headship’ Cohort 2 (Sept 2016 completing in June 2018?) SCEL Table 2	183
‘Into Headship’ Cohort 3 (Sept 2017 completing in June 2019?) SCEL Table 2	164*average of Cohorts 1 & 2
Total	905

Assuming that no existing HTs (with or without the qualification) would apply for any of the 436 potentially vacant posts, this would equate to a maximum of 2.07 eligible applicants per HT vacancy across Scotland. This is of course, a very crude analysis and may be open to challenge but it does illustrate the kind of calculation which needs to be done. It also says something about the importance of providing accurate and accessible data which can be openly scrutinised. It would be very helpful to know in due course, whether any calculations such as those in Table 3 above have been made by the SG. In the meantime we have to make-do with making observations on such data as is available. The first point to make here relates to the maximum number of eligible applicants in this calculation which, at 2.07 per vacancy is significantly below the 15+ that the ADES Report described as a “healthy number of applicants” (p14). Secondly, the SCEL table (Table 2) indicates only the participant cohort at the September outset of each course and can therefore be regarded as the maximum number who potentially might have “achieved” the required standard following this route, by August 2019.

The CSR applauds the aim of “...improving the quality of candidate” applying for Head Teacher posts. Recent research such as that provided by the ‘Evaluation of Routes to Headship Research Report’ (March 2014) mentioned above, concurs with other recent evidence (Teaching Scotland’s Future and the Framework for Educational Leadership) that leadership needs to be developed over an extended period, probably throughout an entire career. Thus the Commission, while supporting the introduction of mandatory regulations in principle, is strongly of the view that more attention needs to be paid to developing appropriate accredited leadership and management pathways and capabilities at earlier stages in teachers’ careers which might help close the professional learning gap between middle leadership and headship. This will require a culture change in schools and across the system so that we ask not simply what qualifications we require of potential HTs but what *qualities* we require of potential candidates? Some such qualities might be creativity and the capacity to innovate and challenge prevailing orthodoxies. If, following the Governance Review, there is to be a move in the direction of significantly greater autonomy for Head Teachers and schools, then these qualities will be

⁷ Based on a timeframe of 18 months for the course.

even more important than they are at present. The ADES (2016) Report, reinforcing the point made in the Evaluation of Routes to Headship Research Report (March 2014) made clear that:

“The ‘Into Headship’ Qualification programme is not of itself sufficient preparation for headship” (p7)

Developing the appropriate qualities will require more than simply the introduction of a mandatory regulatory framework and headship qualification, but will require the kind of strategic planning recommended in the ‘Evaluation of Routes to Headship Research Report’ (March 2014) two of whose recommendations are particularly relevant here:

- “1. Meeting the Standards for Leadership and Management at both middle leadership and then headship levels needs to be seen as the goal of leadership development.
4. Priority should be given to putting in place a consistent progression of accredited leadership development opportunities across all authorities in Scotland from early in a career to the period beyond appointment as a Head Teacher. “

Difficult questions arise here about the culture of conformity and compliance which continues to pervade Scottish education⁸ and about the capacity in the system to provide such leadership development opportunities. Put bluntly are GTCS and SCEL⁹ sufficiently independent and are they committed to developing creative leaders with the capacity to innovate and challenge prevailing orthodoxies? Previously this may well have had the advantage of ensuring a high degree of consistency across the professional standards for leadership but may also have contributed inadvertently, to perpetuating or even exacerbating the current culture of conformity amongst school leaders which saw them compliant and, despite widespread concerns, publicly silent throughout the entire implementation period of CfE. This will serve neither them, nor Scottish school education well, if as seems likely, they are to be given far greater levels of autonomy in the near future.

The reference to the Scottish Government’s Review of Governance is therefore also welcome in the consultation document (p5) especially in light of the recently published responses which reportedly indicate that secondary heads favour changes in school governance whereas primary heads do not (TESS 10/2/17 p9). If the Governance Review does indeed result in more significant change in one sector rather than the other, then there will clearly be implications for developing the respective leadership capacity of each sector. Such implications might include the need for a sharper sectoral focus in current and future leadership programmes for potential primary as opposed to potential secondary head teachers. The clear restatement at the end of Section 2 in this consultation document of the SG’s commitment to:

“...extending to schools, the responsibilities that currently sit with education authorities and to allocating more resources directly to Head Teachers to enable them to make decisions, based on local circumstances, to give our children and young people the best chance of success”. (p5-6)

is certainly significant. The absence of a phrase like “some of” in relation to extending to schools responsibilities which currently sit with education authorities, may or may not be significant. Nor need one go so far as to postulate a redefinition of the section from ‘The

⁸ It is salutary to note here that recently both the Commission and the Scottish Parliament’s Education and Skills Committee have had difficulty in attracting serving HTs to meetings where such issues were to be raised.

⁹ In this context it is interesting to note the significant overlap in SCEL/GTCS’s senior personnel - both the current and former CE of the GTCS are on SCEL’s board and SCEL’s current CE was recruited from GTCS.

Standards for Leadership and Management' (GTCS 2012) where a "key purpose" of head teachers is given as:

"... the leading professional in a school and ... an officer in the local authority" (p17)

to conclude that significant change is on the way – that much seems clear. Less clear is the extent to which any change might result in a modification of head teachers' roles as "officers" in the local authority. Either way in such a scenario, the impact of change on current head teachers and on the next cohort of teachers considering the 'Into Headship' programme, needs to be considered. In that regard the Government's undertaking here to:

"...ensure that all the support necessary is available so that Head Teachers have the skills and confidence to grasp the opportunities change like this can bring" (p6)

is warmly to be welcomed.

Further consideration might also be given to considering whether it will be necessary to review leadership development and training standards' regulations so as to ensure they align more specifically with each sector. Given that the 'Into Headship' programme is explicitly aimed at teachers whose likely next post would be that of head teacher "...within two to three years", time may be of the essence.

APPENDIX 1

ADES (2016) TABLE - P19

Head Teachers over the age of 50 by local authority 2015 - FTE

Authority	Total Number of HTs	Number of HTs 55 or over	Percentage of LA HT workforce 55 or over	Number of HTs 50 or over	Percentage of LA HT workforce 50 or over
Aberdeen City	55	21	38%	28	50%
Aberdeenshire	157	47	30%	74	47%
Angus	49	13	27%	23	47%
Argyll & Bute	69	21	30%	39	56%
Clackmannanshire	24	5	21%	6	25%
Dumfries & Galloway	80	12	14%	36	45%
Dundee City	39	12	31%	23	60%
East Ayrshire	52	11	21%	22	42%
East Dunbartonshire	41	14	35%	26	63%
East Lothian	37	9	24%	20	54%
East Renfrewshire	29	11	37%	14	47%
Edinburgh City	112	34	30%	58	51%
Eilean Siar	19	6	29%	8	40%
Falkirk	49	16	33%	32	65%
Fife	146	48	33%	72	49%
Glasgow City	183	67	36%	98	54%
Highland	153	42	28%	74	49%
Inverclyde	27	7	25%	16	57%
Midlothian	36	11	31%	21	58%
Moray	49	19	39%	26	53%
North Ayrshire	52	13	25%	27	52%
North Lanarkshire	161	42	26%	75	47%
Orkney Islands	15	5	34%	8	52%
Perth & Kinross	74	14	19%	29	39%
Renfrewshire	61	16	26%	27	44%
Scottish Borders	50	11	22%	23	46%
Shetland Islands	27	3	11%	10	37%
South Ayrshire	45	7	16%	12	27%
South Lanarkshire	142	51	36%	82	58%
Stirling	42	9	21%	21	50%
West Dunbartonshire	39	10	26%	20	51%
West Lothian	80	22	28%	37	47%
Grant Aided	7	3	44%	6	85%
Total	2,201	631	Average 29%	1,090	Average 50%