

## **National Assembly for Wales**

### **Education and Lifelong Learning Committee**

#### **Secondary Legislation: 9 February 2005**

The Committee considered the following two items of subordinate legislation on Wednesday 9 February 2005:

#### **The Education (Head Teachers' Qualifications and Registration) (Wales) Regulations 2005 (ELL-07-05)**

#### **The Education (Admission Appeals Arrangements) (Wales) Regulations 2005 (ELL-29-04)**

The Minister provided a copy of the regulations, explanatory memorandum, regulatory appraisal and a summary of the consultation responses.

The first set of regulations (ELL-07-05) make provision requiring first time head teachers of schools maintained by a local education authority, and special schools which are not so maintained, and who are appointed as a head teacher on or after 1 September 2005 to: hold the National Professional Qualification for Headship (NPQH) in Wales or its equivalent in England, Scotland or Northern Ireland; be qualified teachers; and be registered as teachers.

In discussion, the following concerns were raised:

- **Funding;** The level and method of delivery;
- **Age profile of the profession;** Given that a large proportion of head teachers are due to retire during the next five years, had the Minister allowed sufficient funding to facilitate new head teachers studying for the National Professional Qualification for Headship (NPQH);
- **Recognition of other qualifications;** Had thought been given to recognising other qualifications (e.g. a Masters degree) in counting towards award of the NPQH qualification.

In response, the Minister made the following points:

- **Funding;** The Minister referred to paragraph 6.2 of the consultation response summary;
- **Age profile of the profession;** Appropriate funding would be provided;
- **Recognition of other qualifications;** Philip Rogers, one of the Minister's officials, stated that this matter had been considered but it was not felt appropriate to recognise other qualifications for this purpose, because the NPQH was a practical qualification; intended to develop leadership qualities.

No amendments were proposed and the Committee recommended approval of the draft regulations.

The second set of regulations (ELL-29-04) prescribe matters relating to appeals brought under sections 94 and 95 of the School Standards and Framework Act 1998, as amended by the Education Act 2002.

Under section 94, arrangements must be made by a local education authority or in the case of a foundation or voluntary aided school, a governing body, enabling parents to appeal against school admission decisions, including decisions refusing permission to children already admitted to enter the school's sixth form.

Under section 95, arrangements must be made by a local education authority enabling a governing body of a community or voluntarily controlled school to appeal against the authority's decision to admit a child who, at the time the decision was made, has been permanently excluded from two or more schools.

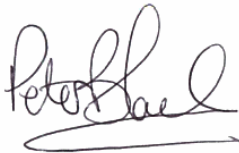
In discussion, the following concerns were raised:

- **Timing;** Why is there to be a delay in revising guidance on timing, and is the time taken for appeals monitored by the Assembly Government;
- **Revised Code of Practice;** Why is it not intended to revise the Code immediately;
- **Appeals Panels to reflect the language of their area;** Would this be covered in the revised Code of Practice.

In response, the Minister made the following points:

- **Timing;** The Minister stated that there had been no problems with timing in the past, and introducing new time limits now could cause practical difficulties, particularly for governing bodies of voluntary aided and special schools. However, this issue could be revisited in the future and possibly a consultation held;
- **Revised Code of Practice;** The Minister referred to paragraph 6.3 of the consultation response summary;
- **Appeals Panels to reflect the language of their area;** This was a matter for local authorities, who would have their own Welsh language schemes.

No amendments were proposed and the Committee recommended approval of the draft regulations.

A handwritten signature in black ink, appearing to read 'Peter Black', with a horizontal line underneath it.

**Peter Black AM**  
**Committee Chair**