
STATUTORY INSTRUMENTS

2003 No. 3111

**Education (Head Teachers' Qualifications)
(England) Regulations 2003**

Head Teachers' Qualification

5.—(1) A person may serve as a head teacher without a qualification mentioned in regulation 4(1) if—

- (a) he is appointed as a head teacher before 1st April 2009 and at the time he is appointed he has successfully applied for a training course for the purpose of gaining the National Professional Qualification for Headship; and
- (b) a period of four years beginning with the date upon which he is appointed as a head teacher has not expired.

(2) The period of 4 years mentioned in paragraph (1)(b) shall be extended to take account of a period when a head teacher is absent from work in exercise of—

- (a) her right to maternity leave conferred by section 71 or 73 of the Employment Rights Act 1996⁽¹⁾ or conferred by her contract of employment or because of her pregnancy and has the right to return to work by virtue of the said section 71 or 73 or by virtue of her contract of employment;
- (b) the right to parental leave conferred by section 76 of the Employment Rights Act 1996;
- (c) the right to paternity leave conferred by section 80A or 80B of the Employment Rights Act 1996⁽²⁾; or
- (d) the right to adoption leave conferred by section 75A or 75B of the Employment Rights Act 1996⁽³⁾.

⁽¹⁾ 1996 c. 18.

⁽²⁾ Sections 80A and 80B of the Employment Rights Act 1996 were inserted by section 1 of the Employment Act 2002 (c. 22).

⁽³⁾ Sections 75A and 75B of the Employment Rights Act 1996 were inserted by section 3 of the Employment Act 2002.