
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2(1) provides that only persons falling within section 90A(2) of the Education (Scotland) Act 1980 (c.44) (“the 1980 Act”) may be appointed by education authorities or managers of grant-aided schools as head teachers of schools.

Regulation 2(2) provides that a person falls within section 90A(2) of the 1980 Act if the person has achieved the Standard for Headship.

“The Standard for Headship” is defined in regulation 1(2) as meaning the professional standard awarded to a person by the General Teaching Council for Scotland (“the GTCS”), pursuant to the GTCS’s functions under article 6 of the Public Services Reform (General Teaching Council for Scotland) Order 2011 (S.S.I. 2011/215) and rules made under article 15 of that Order.

This instrument comes into force on 1 August 2020 and regulation 2 applies to appointments made on or after that date.

Regulation 3 provides for exemptions from the general requirement in regulation 2(1) that only persons who have achieved the Standard for Headship may be appointed as head teachers by education authorities or managers of grant-aided schools.

Regulation 3(1) provides that the general requirement does not apply to a person who on or before 1 August 2020 held a permanent appointment as a head teacher of a public school, a grant-aided school or an independent school.

Regulation 3(2) provides that the general requirement in regulation 2(1) does not prevent the appointment of a person as a head teacher, by an education authority or manager of a grant aided school, on or after the 1 August 2020 where that person has not yet achieved the Standard for Headship provided the appointment does not exceed 30 months.