WELSH STATUTORY INSTRUMENTS

2005 No. 1227 (W.85)

EDUCATION, WALES

The Head Teachers' Qualifications and Registration (Wales) Regulations 2005

Made - - - -	*26 April 2005*
Coming into force - -	*1 September 2005*

In exercise of the powers conferred on the National Assembly for Wales by sections 134, 135, 145(1) and (2) and 210(7) of the Education Act 2002(**1**) the National Assembly for Wales hereby makes the following Regulations:

Name, commencement and application

1.—(1) These Regulations are called the Head Teachers' Qualifications and Registration (Wales) Regulations 2005 and come into force on 1 September 2005.

(2) These Regulations apply in relation to Wales.

(3) These Regulations do not apply to a person who before the coming into force of these Regulations has been appointed as the head teacher 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.

(4) These Regulations do not apply to Pupil Referral Units.

Interpretation

2. In these Regulations:

"the 2005 Regulations" ("*Rheoliadau 2005*") means the European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005(**2**);

"National Assembly" ("*Cynulliad Cenedlaethol*") means National Assembly for Wales; and

(**1**) 2002 c. 32.
(**2**) S.I.2005/18. This gives effect to Council Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration.

"school" ("*ysgol*") means, (unless the context requires otherwise), a school maintained by a local education authority or a special school not so maintained.

Headship Qualification

3.—(1) Subject to regulation 5 a person may only serve as a head teacher of a school if he or she holds:—

(a) the National Professional Qualification for Headship in Wales;

(b) the National Professional Qualification for Headship in England(**3**);

(c) the Scottish Standard for Headship(**4**);

(d) the Professional Qualification for Headship in Northern Ireland(**5**);

(e) a qualification which has equivalent effect by virtue of the 2005 Regulations.

(2) The National Professional Qualification for Headship in Wales means the qualification awarded by the National Assembly to a person if it is satisfied that the person has successfully completed such course of training as the National Assembly may from time to time approve for the purposes of the award of that qualification.

Requirement to be qualified

4. A person may serve as the head teacher of a school only if he or she:

(a) is a qualified teacher; or

(b) has a qualification which has equivalent effect by virtue of the 2005 Regulations.

Requirement to be registered

5. A person may serve as the head teacher of a school only if he or she is registered under section 3 of the Teaching and Higher Education Act 1998, (register maintained by the General Teaching Council for Wales)(**6**).

Acting head teachers

6. A person carrying out the functions of the head teacher of a school —

(a) pending the appointment of a head teacher, or

(b) in the absence of a head teacher,

is not serving as the head teacher of the school for the purposes of these Regulations.

(**3**) The Education (Head Teachers' Qualifications) (England) Regulations 2003, (S.I. 2003/3111), are the current Regulations which provide for this. The National Professional Qualification for Headship in England is awarded by the National College for School Leadership Limited.
(**4**) The Scottish Standard for Headship is currently achieved by undertaking the Scottish Qualification for Headship.
(**5**) The Professional Qualification for Headship in Northern Ireland is awarded by the Regional Training Unit in Northern Ireland.
(**6**) 1998 c. 30.