



Code of Practice on Headteacher Competence

Guidance for Dealing with Underperformance

June 2009

(Approved by LNCT 23.06.09)

CONTENTS	PAGE
1 Introduction	1
2 Definition of Headteacher Competence	1
2.1 Role of the headteacher	1
2.2 The Standard for Headship	1
3 The Instigation of the Procedures	2
4 Competence, Conduct and Disciplinary	2
5 Procedures for Dealing with Underperformance	2
Stage 1	3
Stage 2	5
Fig 1 -Stages in the Procedure	3
Fig 2 -Stage 1	6
Fig 3 -Stage 2	7
APPENDIX	8 - 11
Standard for Headship	

Code of Practice on Headteacher Competence Procedures for Dealing with Underperformance

1. Introduction

This document provides guidance in dealing with underperformance in headteachers. It defines competence in terms of the duties of a headteacher and the Standard for Headship (SfH) and explains the steps in the process for dealing with cases of short lived underperformance and long running underperformance.

2. Definition of Headteacher Competence

2.1 The role of the Headteacher

The role of the Headteacher is defined with Annex B of the McCrone Agreement.
<http://www.scotland.gov.uk/Resource/Doc/158413/0042924.pdf>

It states that the role of the headteacher is, within the resources available, to conduct the affairs of the school to the benefit of the pupils and the community it serves, through pursuing objectives and implementing policies set by the education authority under the overall direction of the Director of Education. The headteacher shall be accountable to the education authority for the following list of duties and for such other duties as can reasonably be attached to the post:

- (a) Responsibility for the leadership, good management and strategic direction of the school.
- (b) Responsibility for school policy for the behaviour management of pupils.
- (c) The management of all staff, and the provision of professional advice and guidance to colleagues.
- (d) The management and development of the school curriculum.
- (e) To act as adviser to the Parent Council and to participate in the selection and appointment of the staff of the school.
- (f) To promote the continuing professional development of all staff and to ensure that all staff have an annual review of their development needs.
- (g) Working in partnership with parents, other professionals, agencies and schools.
- (h) To manage the health and safety of all within the school premises
(Annex B)

plus any other matter devolved from SNCT for local agreement (Annex F)

2.2 The Standard for Headship

The headteacher acts as the leading professional in a school and as an officer of the local authority. He/she provides appropriate vision, leadership and direction to ensure high standards of education for all the children and young people

To achieve this, the headteacher works with and is accountable to others to ensure that the school is organised and managed to meet its aims and targets, and is a creative, disciplined learning environment. In so doing, the headteacher works with a range of others - staff, children and young people, parents, local community members, voluntary organisations, local authority officers and other agencies involved in services for children and young people and their families. The Standard for Headship defines the

leadership and management capabilities of headteachers. It defines the professional actions required of effective headteachers.

3. The Instigation of the Procedures

Competence is defined in terms of the duties of a headteacher (Annex B/F) and the Standard for Headship.

A headteacher may be considered as underperforming if they fail to ensure statutory duties are fulfilled as required by the employer (Standards in Scotland's Schools etc Act (2000) http://www.opsi.gov.uk/legislation/scotland/acts2000/asp_20000006_en_1

or, if they fail to meet the leadership and management capabilities as detailed within the Standard for Headship.

Should the headteacher fail on either of the above, a senior management representative will determine the cause of the underperformance and act accordingly. A decision will be made at this point whether it is an issue which should be considered as an issue of competence or one relating to professional conduct

4. Competence, Conduct and Disciplinary

Should the senior management representative determine the issue is one of inappropriate professional conduct or gross misconduct then the Council's Disciplinary Procedures must be followed.

Inappropriate professional conduct and gross misconduct are defined in the following document;

- Code of Professionalism and Conduct
http://www.gtcs.org.uk/Publications/StandardsandRegulations/code_professionalism_conduct.aspx

The code sets out the key principles and values for registered teachers which includes headteachers in Scotland ensuring the boundaries of professional behaviour and conduct are clear.

- Gross Misconduct. (Dumfries and Galloway Council (Teaching Staff (2003)

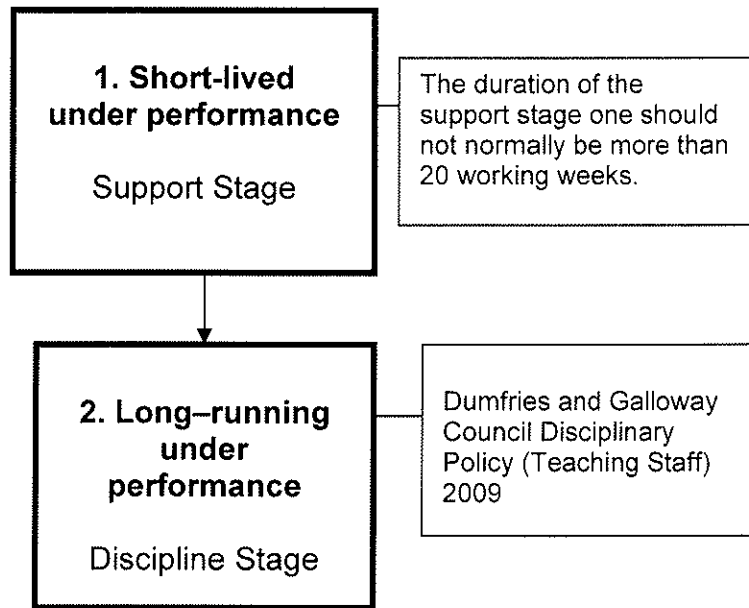
5. Procedures for Dealing with Underperformance

These procedures assume that the headteacher has been performing at a competent level up to the point at which temporary underperformance is first identified.

Throughout this guidance, there is the assumption that underperformance relates to management activities and as such, there is no referral to teaching ability, the Standard for Full Registration or referral to the GTCS.

There are two stages in the procedure for dealing with management underperformance.

Fig 1 Stages in the Process



In stage one it is assumed that the headteacher's problem is one of short-lived underperformance

Short-lived underperformance can be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the headteacher.

Long-running underperformance is the term used to describe the problem when the discipline stage of the procedure is implemented. By this stage, although support, guidance and professional development opportunities have been offered to the teacher, these have not resulted in the improvements to the level defined in the Standard for Headship.

At this stage, where a headteacher's performance or conduct is such as to give rise to serious concern, disciplinary action may be taken by the authority in accordance with Dumfries and Galloway disciplinary procedures.

The staged process for underperformance is summarised in Fig 1.

Stage 1 : Support

- (a) The support stage does not form part of the employer's formal disciplinary procedures.
- (b) It is assumed, at this stage, that the problem is still one of short-lived underperformance.
- (c) Headteachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.
- (d) At the first formal meeting to consider these issues there should be a professional dialogue between the headteacher and senior management representative to discuss identified areas of underperformance.

During this discussion the headteacher should be encouraged to participate fully in identifying the causes of the underperformance and suggesting possible remedies.

Advice and guidance should be offered to support improvement which may include a planned programme of professional development

- (e) At the conclusion of the first discussion the senior management representative will summarise:
- the specific aspects of the SfH which are to be addressed;
 - the proposed mechanisms which will be put in place to support the headteacher;
 - the professional development which will be undertaken
 - the improvements to be made;
 - the timescales over which the targets are to be met.

As soon as possible after the first discussion the senior management representative should confirm this summary in writing and set dates for an interim and a final review meeting. Depending on the context of the situation a reasonable length of time should be given for the head teacher to reach the required standard. This time is normally no longer than 20 working weeks.

- (f) The purpose of the interim meeting is to consider progress towards the targets agreed at the first discussion and offer the headteacher support in achieving these improvements.
- (g) The review meeting will be held to assess the degree of improvement against the required standard. At the conclusion of the review meeting the headteacher should be informed of the outcome.

Two outcomes are possible:

Outcome 1:

Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete. The headteacher should be informed of this decision in writing by the senior management representative.

It is not expected that there will be a repeat referral under these procedures within a short timescale.

Outcome 2:

Where improvements have not been achieved to the required standard, the headteacher should be informed that formal disciplinary procedures will be implemented. This decision and the underpinning reasons should be communicated to the teacher in writing by the senior management representative.

The headteacher should be advised of their statutory and contractual rights to be accompanied during disciplinary procedures at the disciplinary stage.

Stage 2: Disciplinary

- (a) This stage comprises the Dumfries and Galloway Council's formal disciplinary procedures. (Dumfries and Galloway Discipline Policy (Teaching Staff) 2009)
- (b) The problem is now considered to be one of long-running underperformance.
- (c) The headteacher should be advised of their statutory and contractual rights to be accompanied during disciplinary procedures.
- (d) A comprehensive statement should be produced by the senior management representative indicating:
- Details of the headteacher's alleged failure to maintain the standards described;
 - Clear identification of the aspects of the SfH which it is alleged are not met to the required standards
 - Details of the support mechanisms and professional development offered to the headteacher;
 - The duration of stage 1
 - The headteacher's performance at the start of the support stage;
 - The headteacher's performance at the end of the support stage.
- (e) The above information will be considered at subsequent stages in the employer's formal disciplinary proceedings.

Potential outcomes from Stage 2 are detailed in the Dumfries and Galloway Discipline Policy (Teaching Staff) 2009.

Fig 2. **STAGED PROCESS for DEALING WITH UNDERPERFORMANCE**
 Stage 1; short-lived underperformance

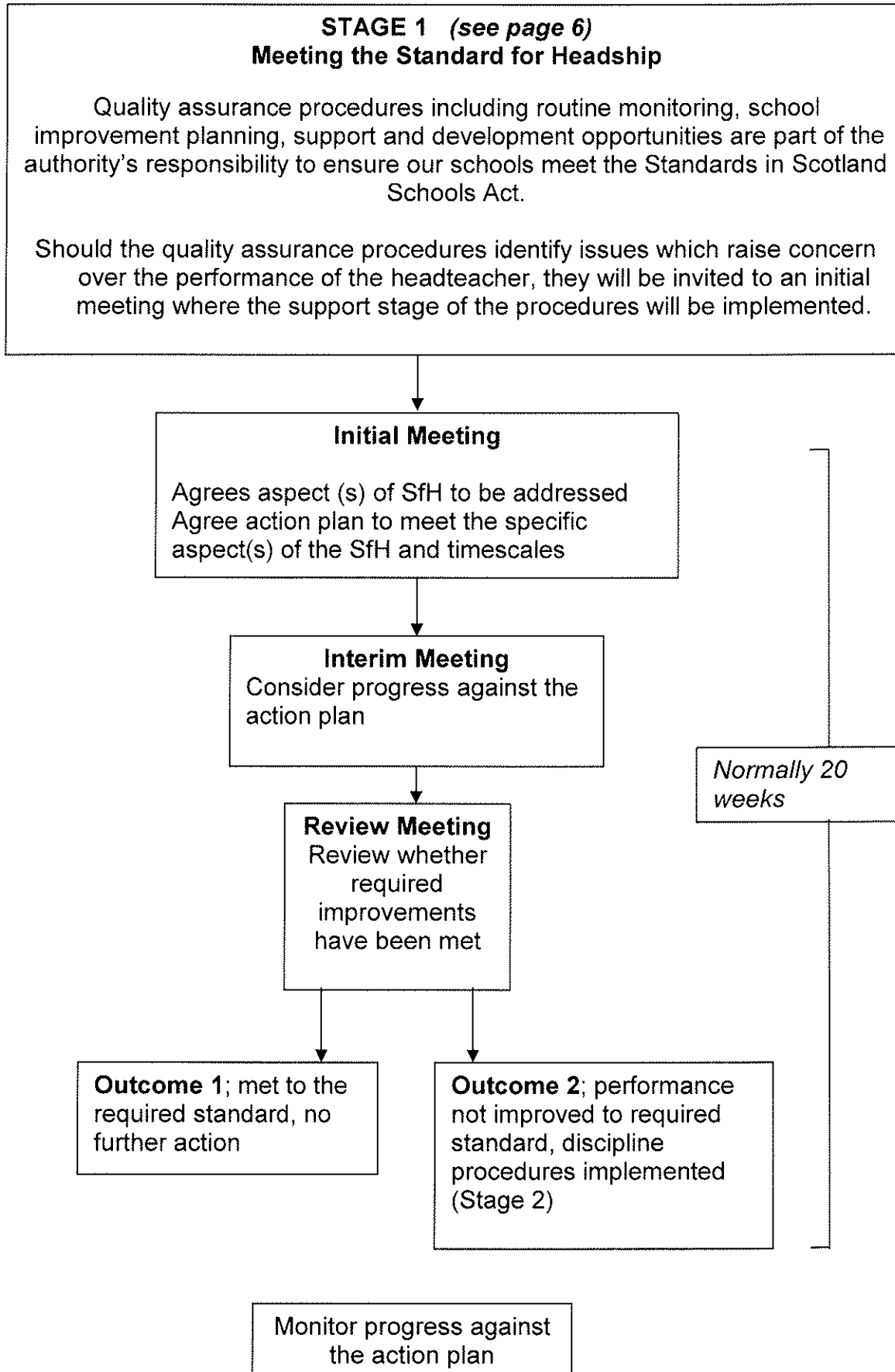
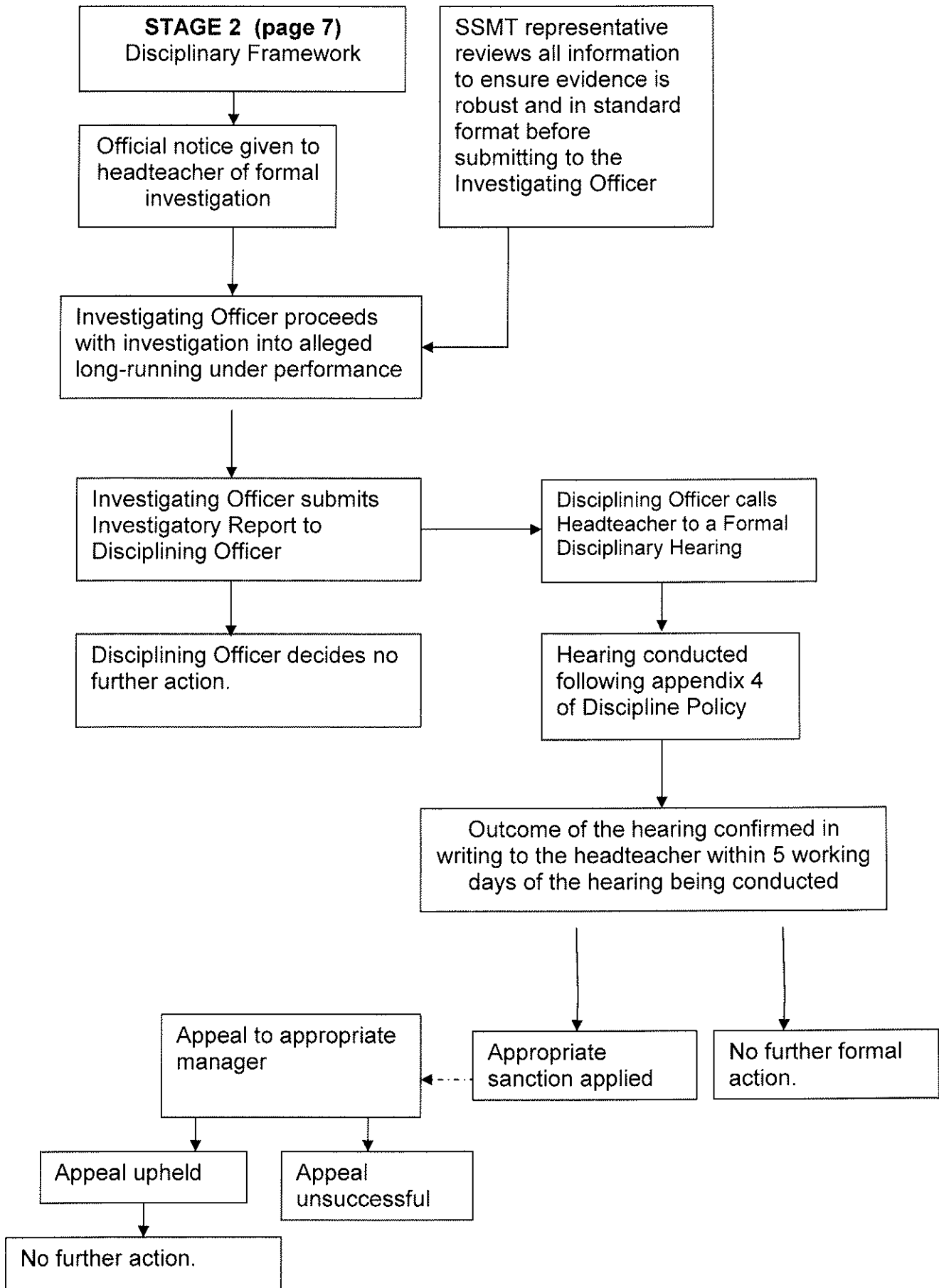


Fig. 3 – LONG-RUNNING UNDERPERFORMANCE



The Standard describes the professional knowledge and understanding, professional skills and abilities, professional values and personal commitment which all headteachers should be able to demonstrate in their professional activities.

The Standard for Headship

The SfH is detailed below, is available in school and can be downloaded from <http://www.scotland.gov.uk/Publications/2005/11/3085829/58300>

1. The role of the headteacher:

1.1 The headteacher acts as the leading professional in a school and as an officer of the local authority. He/she provides appropriate vision, leadership and direction to ensure high standards of education for all the children and young people in their care so that they can become successful learners, confident individuals, responsible citizens and effective contributors. To achieve this, the headteacher works with and is accountable to others to ensure that the school is organised and managed to meet its aims and targets, and is a creative, disciplined learning environment. In so doing, the headteacher works with a range of others - staff, children and young people, parents, local community members, voluntary organisations, local authority officers and other agencies involved in services for children and young people and their families. Each school will present different challenges reflecting the school's circumstances and the communities they serve.

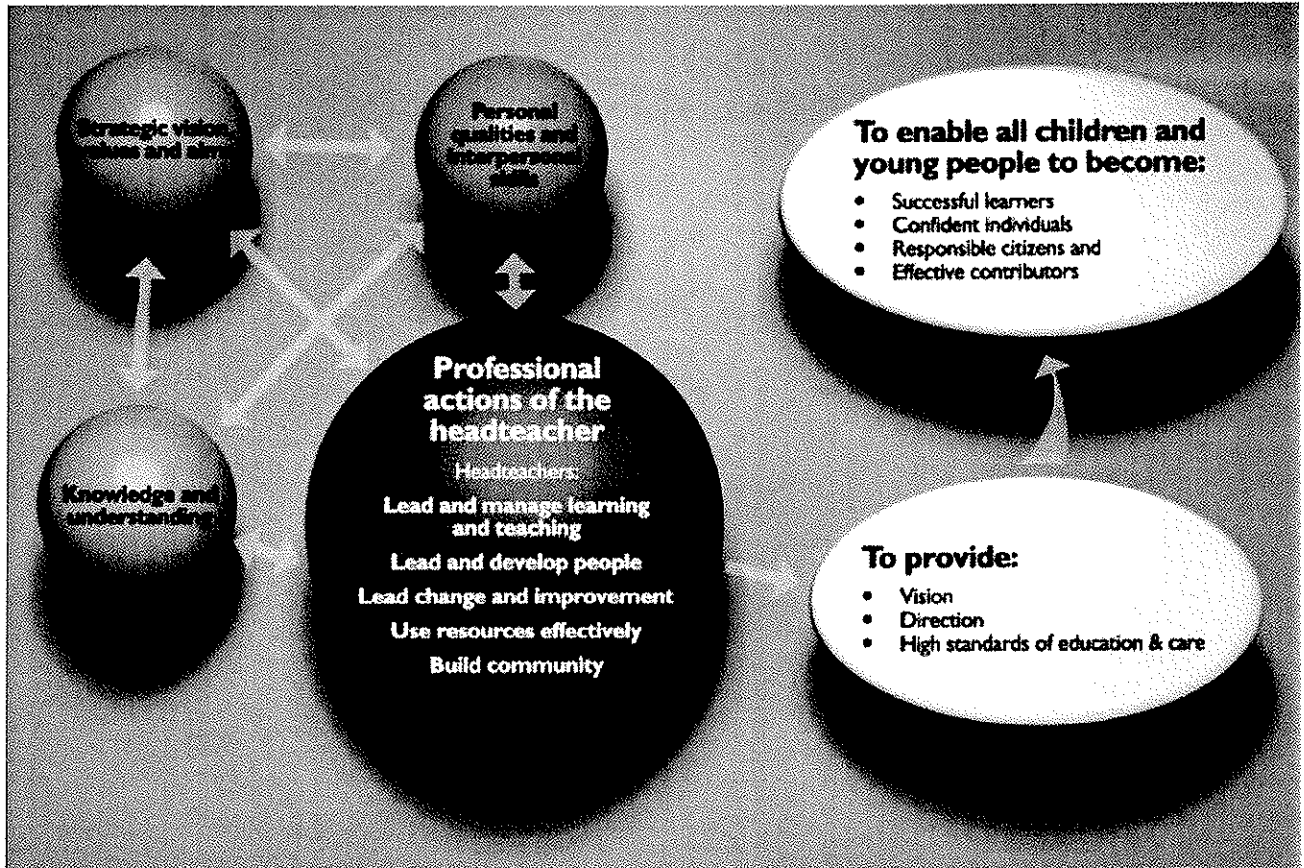
2. The Standard for Headship:

2.1 The purpose of this Standard is to define the leadership and management capabilities of headteachers. It defines the professional actions required of effective headteachers, acknowledges the changing context in which they operate and takes account of the many challenges which they face. It serves to inform, challenge and enthuse headteachers, and those aspiring to headship, and to offer a template against which they can match their experiences and skills in order to determine their strengths and areas for development.

2.2 The Standard analyses the role of the headteacher into **Professional actions**, and three essential elements which are:

- Strategic vision, values and aims,
- Knowledge and understanding, and
- Personal qualities and interpersonal skills.

2.3 Although the professional actions and the essential elements are listed and detailed separately, it is important to emphasise that in professional practice, they are always fully interdependent. How they interdepend in practice will reflect the individual contexts in which different headteachers work. The diagram below outlines the relationship between the elements of the Standard and the central responsibilities of the headteacher.



3. Professional actions of the headteacher:

3.1 This element outlines the main areas of professional action for headteachers. If headteachers are to be effective, they require **both to lead and to manage**. Leadership develops shared vision, inspires and creates commitment and embraces risk and innovation. Management develops systems which limit uncertainty, even out differences, and improve consistency and predictability in delivering the service.

3.2 Five main areas of professional action are identified below by the Standard. However in practice most actions and decisions taken by headteachers involve several areas at the same time. It would be difficult, for example, to lead learning and teaching without also leading people; difficult to lead change and improvement without also using resources effectively. The outline of each of the five areas included here in the Standard is further described through the examples in the Illustrations section. The order in which they are described does not imply any particular hierarchy or priority.

3.3 The effective practice of headship involves using the three essential elements - strategic vision, values and aims; knowledge and understanding; and personal qualities and interpersonal skills - in making appropriate decisions and taking the appropriate action in specific school situations to enable children and young people to become successful learners, confident individuals, responsible citizens and effective contributors.

3.4 Headteachers require to work within a broad range of accountabilities to achieve school goals in order to serve the best interests of children and young people. Headteachers:

3.4.1 Lead and manage learning and teaching

Ensuring that effective learning and teaching takes place is a central responsibility of headship.

Headteachers develop a culture of respect and good behaviour, create an appropriate ethos, set high expectations, support and encourage good practice and regularly monitor and evaluate the quality of learning in the school. They embrace the principles of inclusion, have an understanding of the impact of discrimination and poverty, develop strategies to counter these and provide pastoral care to children and young people. They offer effective leadership and management of the overall curriculum, to ensure that school based decisions are in accordance with the general principles of good curriculum design outlined in "A Curriculum for Excellence".

3.4.2 Lead and develop people

Headteachers promote ambition; demonstrate a clear commitment to collegiality and to developing, empowering and supporting effective teams and individuals. This includes building school capacity by developing leadership in others. By engaging with those in the school community and beyond, they build a learning community which supports achievement and attainment. In taking these actions, headteachers work within the structure of employment legislation, national and local agreements, and policies governing employment.

3.4.3 Lead change and improvement

Headteachers support and maintain existing good practice and encourage and promote constant improvement in the development of children and young people. They demonstrate personal commitment to continuous improvement through self evaluation, together with skills in problem solving, creative thinking, strategic planning, in implementing change, in the use of quality assurance strategies to judge the need for and effectiveness of change, and in providing support for staff, children and young people and parents.

3.4.4 Use resources effectively

Headteachers make best strategic and operational use of available resources to create, maintain and monitor an appropriate learning environment for effective learning and teaching, and to support continuous improvement. This should include appropriate delegation of tasks to members of the senior management team and other staff. In taking these actions, headteachers take due account of audit, child safety, health and safety requirements, human resource management and other legislative and policy requirements in relation to public service and public spending.

3.4.5 Build community

Headteachers develop and maintain partnerships with parents, children and young people, other services and agencies and in doing so extend the educational vision to embrace an agenda of lifelong learning. They create a culture of respect and inclusion and a common commitment to the broader community and to the intellectual, spiritual, physical, moral, social and cultural wellbeing of children and young people and their families.

4. Essential elements:

The next three elements in the Standard are expressed through effective professional action. Different headteachers in different situations call on different 'blends' of these elements.

4.1 Strategic vision, values and aims

This element is concerned with the headteacher's professional values and commitment to children and young people, to equality of opportunity, to ethical practice, democratic values and to lifelong learning. Headteachers exemplify in their personal and professional life, and in the way they lead the learning community, the vision and ethos they seek to develop throughout the school.

4.1.1 Vision and standards:

Headteachers lead in the creation of a shared strategic vision and aim for the school, which inspire and motivate children and young people, staff and all members of the school community and its partners and sets high standards for every learner.

4.1.2. Integrity and ethical practice:

Headteachers behave with integrity and articulate and exemplify an ethical perspective in relation to their own and the school's practice and organisation.

4.1.3 Democratic values:

Headteachers work with children and young people, staff, parents and others to promote participative citizenship, inclusion, enterprise, democratic values and a culture of respect within the school community and beyond.

4.1.4 Learning for life:

Headteachers model their commitment to learning for life as the school's 'leading learner'.

4.2 Knowledge and understanding

This element identifies the knowledge and understanding of contemporary developments in teaching and learning, education, schools, schooling and society which are required by successful headteachers.

4.2.1 Learning and teaching:

Headteachers apply an up to date knowledge and understanding of research in learning and teaching and its implications for improving practice, and need to be aware of quality assurance strategies.

4.2.2 Education policy, schools and schooling:

Headteachers apply a knowledge and critical understanding of contemporary developments in education policy, schools and schooling, including the vision of what integrated children and young people's services should offer.

4.2.3. Social and environmental trends and developments:

Headteachers apply a knowledge and understanding of contemporary developments in society (including trends and changes in family patterns, work patterns, the media, leisure and politics), in the environment and in the wider global community.

4.2.4 Leadership and management:

Headteachers apply a knowledge and understanding of leadership concepts and practice, and of strategic and operational management.

4.3 Personal qualities and interpersonal skills

This element describes a range of personal qualities and interpersonal skills on which headteachers draw in leading effectively. For maximum impact, successful headteachers will exercise these skills in combinations appropriate to the context in which they are leading.

4.3.1 Demonstrating self-awareness and inspiring and motivating others:

Headteachers regularly review their practice and implement change in their leadership and management approaches. They self manage effectively. They build and sustain personal credibility by teaching effectively. They display confidence and courage in the way they deal with criticism and conflict, and work to create a positive atmosphere within the educational community.

4.3.2 Judging wisely and deciding appropriately:

Headteachers define problems clearly and take a positive solution-focussed approach to their resolution. They know how and when to make decisions and use evidence and information to support and inform their judgements.

4.3.3 Communicating effectively:

Headteachers relate well to children and young people. They are effective communicators within the school and the wider community and build effective relationships. They listen well, give clear expression to their ideas and feelings in person, give feedback well and can shape effective organisational communication. They are comfortable using a variety of modern media.

4.3.4 Showing political insight:

Headteachers have a good understanding of the relationship between schools and society. They understand and take account of the political and social context of educational policy.