

NAHT

The Association for all School Leaders

SUPPORTING PAPER FOR RULE CHANGE PROPOSAL – AGM MOTION 11

At last year's AGM, the following Resolution was carried:

Membership of this Association should be open to all those involved in school leadership. Conference instructs Council to bring forward an enabling appropriate rule change to the AGM 2008.

In considering the above resolution, Council considered a number of possibilities and looked carefully at the current eligibility provisions. Those provisions are set out below:

“The following shall be eligible for full membership of NAHT:

- 4.1 A person who holds the post of head teacher, deputy head teacher, assistant head teacher, principal, vice principal or assistant vice principal of a school or college in the United Kingdom, Channel Islands or Isle of Man.
- 4.2 A person who holds the post of head teacher, deputy head teacher, assistant head teacher, principal, vice principal or assistant vice principal of a school or college outside the United Kingdom, Channel Islands or Isle of Man, which is controlled by an organisation within the United Kingdom, or which is approved by National Council.
- 4.3 A person paid on the leadership spine, or an equivalent basis approved by National Council, and employed in one of the following:-
 - 4.3.1 An Early Years Centre
 - 4.3.2 A Pupil Referral Unit
 - 4.3.3 A hospital school
 - 4.3.4 A Social Service establishment;
 - 4.3.5 A Local Education Authority Advisory or Support Service.
- 4.4 A person who has been appointed to act in any of the posts in 4.1, 4.2 and 4.3 pursuant to the provisions of paragraph 4 of Schedule 16 or paragraph 5 of Schedule 17 to the School Standards and Framework Act 1998.
- 4.5 A person formerly eligible under 4.1, 4.2 or 4.3 above and whose salary is safeguarded on the leadership spine in accordance with the provisions of any order made pursuant to the School Teachers' Pay and Conditions Act 1991.
- 4.6 A member of an organisation which is party to an agreement with the NAHT which provides for the said member to be entitled to be a full member of the NAHT.
- 4.7 A person who, in the opinion of National Council, exercises responsibilities in the field of education comparable to those of a head teacher, deputy head teacher or assistant head teacher.”

As is evident from Rule 4 above, there is already very broad eligibility which is contained and controlled by Council, using the operational discretion set out in Rules 4.2, 4.3 and 4.7.

Council exercises discretion through a working group of Membership Services Committee, to whom all difficult or unclear eligibility issues are referred as they occur throughout the year. The system is highly effective, enabling decisions to be reached swiftly, where necessary.

In following the instruction of last year's AGM, Council opted to make a limited change which would further support and clarify the broad eligibility already contained in Rule 4. The proposed new Rule 4.8 will give Council discretion to consider applications for membership from those involved in education leadership using the same system as at present.

In arriving at this rule change, Council was conscious of the need to seek, as far as possible, to future-proof the eligibility rules. Modern leadership organisations do not narrowly define eligibility by job title because the modern leadership scene changes with such rapidity, especially in education. What is capable of being readily understood is whether or not the post is a leadership post. Any difficulties of interpretation will be referred to the working group of Membership Services, as is currently the case.

There has been some concern that inappropriate applications for membership will be received from those who are not education leaders. It is important to distinguish between eligibility and entitlement. An individual who is **eligible** to apply for membership is not **entitled** to become a member. An application must be received and then accepted in accordance with the Rules. This is contained in Rule 14 below:

“Applications for Membership

14. Applications for membership of the NAHT shall be made to NAHT Headquarters.
 - 14.1 The decision whether or not to accept a person into membership shall be made by National Council in accordance with the procedures determined from time to time by National Council.
 - 14.2 Persons accepted into membership shall be assigned to such Branch or Local Association as is determined by National Council.”

This power, which allows Council to accept or reject applications, underpins Council's discretion contained in Rule 4. The proposed amendments to some, but not all, aspects of Council's discretion will render the rules unworkable in practice. The Rule 4 discretions and Rule 14 power to accept or reject applications for membership are operationally realistic. Rule 25 makes clear that it is Council which manages the business of NAHT while remaining accountable to Conference.

Rule 4.6 came into existence in 2001 as part of a significant revision of the NAHT's rules. It is a rule which has historic effect , covering agreements already in existence between NAHT and IAPS, AHOEC and APC (now PPC). Any new agreements would need to be reported to Conference in accordance with Rule 25.