

**LOCAL NEGOTIATING COMMITTEE FOR TEACHERS
Local Agreement**

**PROCEDURES FOR ACTING UP APPOINTMENTS FOR PROMOTED
TEACHING POSTS**

1. PURPOSE

- 1.1 The purpose of this procedure is to define the circumstances where a promoted post would be offered as an acting-up position in a school/service and how those responsible for leading and managing this process would take it forward effectively.

2. SCOPE

- 2.1 This procedure applies to all promoted teaching posts in all sectors/services which are to be filled by means of an acting up in the short and long term.

NB Schools with more than one DHT have an identified deputising DHT post as determined by the job-sizing process. This DHT will normally act up in the HT's absence as defined by their job description.

3. DEFINITIONS

HT – Head Teacher

DHT – Depute Head Teacher

PT – Principal Teacher

SM – Service Manager (Early Years and Child Care Manager/Neighbourhood Manager/Special Schools Manager/Service Manager, Professional Support Services)

QIO – Quality Improvement Officer

CLDM – Community Learning and Development Manager

CPD – Continuous Professional Development

4. RATIONALE and ARRANGEMENTS

- 4.1 From time to time it may be necessary to fill promoted posts on an acting basis in a school, education establishment or education team, pending a permanent appointment to the promoted post or in place of a teacher who is temporarily absent.

- 4.2 It is important in terms of equity and fairness that all longer term vacancies are open to all authority personnel who have the required experience, skills and knowledge for these management posts. It is recognised that staff value the opportunity to undertake acting up appointments or of being involved in the process of applying and being interviewed for such vacancies.

5. PROCEDURES - SHORT TERM (Less than 19 weeks)

- 5.1 The school session is 195 days (39 weeks). Appointments for less than half of the full session are deemed to be 'short term' appointments.
- 5.2 Where the appropriate Service Manager does not consider the vacancy suitable for a surplus PT, DHT or HT within the Department, the post will be released for filling as appropriate.
- 5.3 If the vacant temporary promoted post is subject of a job-sharing arrangement, then in the first instance the 'sharer' will normally be given the opportunity to fill the vacancy by moving to a full time contract by adding additional temporary hours for the balance of the time.

5.4 Principal Teacher

The HT will invite all suitably qualified staff in the school to express an interest in the acting post. If only one such candidate applies, he/she will normally be offered the position. If more than one member of staff is interested then interviews will be held. The interview panel will normally be the HT and the school's DHT. If there is no DHT, the interview should involve the HT and an appropriate QIO or an Assisting HT/DHT from another school within the same sector (Appendix 1). If no internal candidate wishes to act up, then the post will normally be open to all authority staff who meet the requirements of the post by means of an internal advert and/or email to all relevant schools.

5.5 Depute Head Teacher

One of the school's PTs will normally fill this vacancy. If more than one PT expresses an interest then all candidates meeting the requirements of the post will be interviewed. If no internal candidate wishes to act up, or where there is no PT in post, then the post will normally be open to all authority PTs and DHTs by means of an internal advert and/or email to all relevant schools. The interview panel for this post will normally be the HT (chair), an Assisting HT from another school within the same sector and an appropriate QIO.

5.6 Deputising Depute Head Teacher (where such a post exists alongside other DHT posts)

One of the school's other DHTs will normally fill this vacancy. If more than one DHT expresses an interest, then all candidates meeting the requirements of the post will be interviewed. If no internal candidate wishes to act up, then the post will normally be open to all existing authority DHTs by means of an internal advert and/or email to all relevant schools. The interview panel for this post should be the HT (chair), an Assisting HT from another school within the same sector and an appropriate QIO.

5.7 Head Teacher (Primary, Secondary and Special schools)

This post will normally be filled by the deputising DHT where such a post exists; otherwise one of the school's DHTs will normally fill the post. If only one such candidate applies, he/she will normally be offered the post. If there is more than one candidate, interviews will be held. If none of the school's DHTs wishes to act up or where there is no DHT in post, the post will normally be open to all authority DHTs by means of an internal advert and/or email to all relevant schools.

In small establishments where there is no DHT, PTs in that establishment will be considered for the post in the first instance. Interviews should be co-ordinated by

the appropriate Service Manager. The interview panel will normally be the appropriate Service Manager (chair), an appropriate QIO and an Assisting HT from another school within the same sector.

5.8 Head Teacher (Nursery school)

Where the nursery school has a PT he/she will normally fill this post. If there is no suitable candidate then the post will normally be open to all existing nursery PTs and HTs by means of an internal advert and/or email to all relevant schools. The arrangements for filling the post and the composition of the interview panel will normally be as described in 5.6 above, with the EYCCM co-ordinating and chairing the panel.

6 PROCEDURES - LONG TERM (More than 19 weeks)

6.1 The school session is of 195 days (39 weeks). Appointments for more than half of the full session are deemed to be 'long term' appointments

6.2 When the known vacancy is longer than 19 weeks, such as a secondment, career break or maternity leave, and the appropriate Service Manager does not consider the vacancy suitable for a surplus PT, DHT or HT within the Department, the post will normally be open to all authority staff.

6.3 When one of these longer term vacancies occurs, the following arrangements will operate:

- If the vacant temporary promoted post is subject of a job-share arrangement, then the 'sharer' will normally be given the opportunity to fill the vacancy by moving to a full time contract by adding additional temporary hours for the balance of the time.
- The post will be advertised by the appropriate Service Manager in the authority's internal vacancies bulletin and/or by email to all relevant schools/services.
- The advert for the vacancy will include information on the likely duration of the act up, the essential and desirable criteria required for the job and a suggested start date.
- Applicants for PT and DHT posts should send a note of interest to the HT of the relevant school. In the case of HT vacancies, notes of interest will be directed to the appropriate Service Manager. This note of interest will outline the candidate's suitability for the post and list relevant experiences and skills, including recent CPD activities undertaken.
- All interview panel members must be fully trained in the recruitment and selection process prior to participation in accordance with legislative requirements and the Council's Recruitment and Selection Policy Framework

6.4 Principal Teacher

The HT should draw up a list of candidates for interview. The interview panel will normally be the HT (chair), the school's DHT and a parent where the school has a Parent Council. If there is no DHT, the interview should involve the HT and either

an appropriate QIO or an Assisting HT/DHT from another school within the same sector (Appendix 1). The parent will be selected by the school's parents' council.

6.5 Depute Head Teacher and Deputising Depute Head Teacher (where such a post exists alongside other DHT posts)

The HT should draw up a list of candidates for interview. The interview panel will normally be the HT (chair), an appropriate QIO, an appropriate Service Manager and a parent.

6.6 Head Teacher

The appropriate Service Manager should draw up a list of candidates for interview. The interview panel will normally be one of these Service Managers (chair), an appropriate QIO, an Assisting HT from another school within the same sector and a parent. A Church representative should be included for denominational schools and a CLDM will be included when a secondary school vacancy occurs.

7 THE INTERVIEW

- 7.1 The structure of the interview for HT and DHT posts will be the same as that for the short list stage of a permanent vacancy. That is, a prepared question issued 15 minutes prior to the interview, followed by five or six questions. HTs should ensure that the interview structure for PTs enables the candidates to demonstrate the variety of skills and abilities commensurate with the post. Feedback from the chair of the interview panel to unsuccessful candidates will be available on request.

8 EXCEPTIONAL CIRCUMSTANCES

- 8.1 In planned or unplanned absences of a promoted member of staff, if a member of staff at a lower level agrees to undertake management duties normally done by the absentee, he/she will be deemed to have acted up. A written record will be kept by the school of all instances of acting up. Acting up will accrue in half or whole day units. Good practice would suggest HTs have in place appropriate arrangements for short term, unexpected absences.
- 8.2 In exceptional circumstances the Neighbourhood Manager (Schools) will have the capacity to make other arrangements which suit the interests of the smooth running of the school. The Department will seek to have any such arrangements endorsed by the LNCT at the earliest opportunity.

9 SALARY ARRANGEMENTS

- 9.1 The SNCT handbook states at sections 1.58 and 1.59:

“Acting Appointments

Where a teacher is appointed on a temporary basis to carry out the duties of a promoted postholder in a school, education establishment or education team, pending a permanent appointment to the promoted post or in place of a teacher who is temporarily absent, the council shall increase the teacher's salary to the salary for the post.

If the teacher is already employed in that school, education establishment or education team there is no additional salary entitlement until she/he has been in the acting post for 20 days. The 20 days do not have to be consecutive. Once the teacher has been employed for 20 working days, payment is made for those 20 days and every subsequent day employed in the post.

If the teacher is again employed in an acting capacity in the same post, and six months has elapsed since the teacher left the post, the 20 working day requirement will apply once more.”

- 9.2 The HT therefore requires to ensure that all periods of acting up and agreed periods of notice are accurately recorded and that due payroll notification is made at the appropriate time. Unless there are exceptional circumstances, the due notice required for terminating the acting up period should be agreed and be recorded in writing.

10. ENDING ACT UP APPOINTMENTS

- 10.1 Where either the authority or the postholder wishes to terminate an acting up appointment, regard will be given to any agreed period of notice.

11. LEGISLATIVE CONTEXT

- 11.1 This procedure complements the legislative changes which have taken place in the recruitment and selection procedures of promoted posts in schools. This new legislation and guidance which has been introduced has an impact on the placing of surplus HTs and DHTs.

The Scottish Schools (Parental Involvement) Act 2006: Guidance on Parental Involvement in the Appointment Process for Head Teacher and Depute Head Teacher Posts, Section 5 – Redeployment and Temporary Appointments states that “All teachers are employed by an education authority and assigned to a particular place of employment. They are liable to transfer to another place of employment should the authority require it.”

REVIEW

This agreement will be reviewed 2 years after implementation or earlier if either Joint Secretary requests.

LOCAL AGREEMENT (In accordance with the LNCT Recognition and Procedure Agreement)

This local agreement has been reached in the LNCT and is consequently binding on the signatory parties. It may be adjusted by negotiation to meet changing future needs.

Signed

Mike Rosendale

Colin Mackay

Joint Secretary
Management Side

Joint Secretary
Teachers' Side

Date 20th April 2010

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INTERVIEW PANEL GRID

Vacancies up to 19 weeks		Vacancies beyond 19 weeks	
Post	Panel	Post	Panel
PT	HT (chair), DHT from within the school or appropriate QIO or Assisting DHT/HT within the same sector	PT	HT (chair), DHT from within the school or appropriate QIO or Assisting DHT/HT from the same sector and a parent
DHT	HT (chair), appropriate QIO and Assisting HT within the same sector	DHT	HT(chair), appropriate QIO, SM and a parent
HT	Service Manager (chair), appropriate QIO and Assisting HT within the same sector A church representative and/or a CLDM to be included when appropriate	HT	Service Manager (chair), appropriate QIO and Assisting HT within the same sector, and a parent A church representative and/or a CLDM to be included when appropriate