



Policy and Procedure for Redeployment of Head Teachers, Depute Head Teachers and Principal Teachers of Guidance

1. Background

- 1.1 The Scottish Schools (Parental Involvement) Act 2006 reinstated the ability of education authorities to redeploy Head Teachers and Depute Head Teachers (and other promoted teaching staff) which had previously been withdrawn under the School Boards legislation.
- 1.2 Redeployment is the permanent transfer of members of staff to another place of employment.

Circumstances which could lead to permanent redeployment are

- school closures or mergers
- falling school roll affecting a school's entitlement to Depute Head Teacher (DHT) or Principal Teacher of Guidance (PTG) posts.

2. Procedure for Redeployment (Falling School Roll)

- 2.1 The local line manager should confirm to the Head Teacher that the school is no longer entitled to the current complement of DHTs and/or PTGs.
- 2.2 Staff in the affected group would be canvassed for volunteers at this point. Where there is no volunteer the Head Teacher should identify the excess DHT/PTG and inform him/her, following the selection criteria and procedure as detailed in section 10 of the HR Policy: Redundancy.
- 2.3 The local line manager should then meet with the excess member of staff to explain fully the options available including the procedure for redeployment. The member of staff involved would at this stage be entitled to Trade Union accompaniment.

At the meeting the excess member of staff will be made aware of the two redeployment options available, as described in a) and b) below.

a) 12 months on redeployment

If after 12 months on the redeployment list, or after two unreasonable refusals to accept an equivalent or better post, a transfer to an appropriate permanent post at an equivalent or better level in a school has not been arranged, the excess

member of staff will be offered a transfer to an unpromoted teaching post. Entitlement to salary conservation will be as defined in 2.11. It should be noted that a redundancy/pension benefits financial package will not be offered as an alternative to redeployment to an unpromoted teaching post. If the member of staff chooses to refuse the offer of an unpromoted post then this would be viewed as a resignation from the Council.

If after 12 months on redeployment, the excess member of staff has not been found a post then there is the option of applying for early retirement. This would only be granted subject to no additional cost to the Authority.

b) 12 weeks on redeployment

If after 12 weeks on the redeployment list, a transfer to an appropriate permanent post at an equivalent level in a school has not been arranged, the excess member of staff will be given a redundancy payment and where applicable, pension benefits as detailed in the Guidelines to HR Policy: Redundancy. It should be noted that the refusal of a reasonable offer of redeployment will be viewed as a resignation from the Council.

Following the meeting a letter will be issued by the Service asking the excess member of staff to confirm in writing the preferred redeployment option. The letter will detail an estimate of the payment and, where applicable, pension benefits option. A response will be required in 10 working days. This confirmation will be legally binding and there will be no option to change to the alternative option.

- 2.4 The excess member of staff will be offered the first suitable vacant promoted post at an equivalent level (DHT or PTG) to their current post, in a school within reasonable travelling distance and time from their home. An equivalent level of post is defined as two job sized grades up or down from their current job-sized point.

Appropriate salary conservation will apply (refer to paragraph 2.11).

- 2.5 A list of all excess promoted post holders due for redeployment (at Head Teacher, DHT and PTG levels) will be maintained by the authority.

- 2.6 Once a suitable post is identified the local line manager should discuss the proposed redeployment with the receiving Head Teacher, prior to contacting the excess member of staff.

- 2.7 The local line manager will then meet with the excess member of staff to inform him/her of the proposed school and post for redeployment. The excess member of staff will have the right to be

accompanied by his/her trade union representative.

- 2.8 Where the redeployment involves a DHT the local line manager should arrange to discuss this with the Parent Council of the receiving school. Thereafter, the DHT to be redeployed should be invited to attend an informal meeting with the Chair of the Parent Council (or Parent Council representative), the Head Teacher of the receiving school and the local line manager to discuss matters of mutual interest connected to the redeployment.

The Director of Education, Learning & Leisure has the final decision on the post to which a teacher is redeployed.

- 2.9 If a post is identified to be of interest to more than one member of staff who is eligible for redeployment there would be the requirement for a formal interview process to take place between those involved to determine which candidate is to be redeployed.

- 2.10 If the post proposed for redeployment has a higher job sized salary the member of staff to be redeployed will be paid the higher salary from the date of taking up the new post.

- 2.11 a) If the post offered for redeployment has a lower job sized salary, the member of staff to be redeployed, if appointed to their current post from 1 April 2001 will received cash conservation for three years. At the end of the three year period the cash conservation will end and the post holder will then receive the normal job-sized salary of the post he/she now holds.

- b) If the post offered for redeployment has a lower job sized salary, the member of staff to be redeployed, if appointed to their current post before 1 April 2001 will continue to receive his/her previous salary and will continue to receive any increase resulting from pay awards.

- c) For staff opting for 12 months on redeployment there shall be no entitlement to conservation of salary where a teacher refuses unreasonably, on two occasions, to accept an alternative, equivalent or better post.

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- 2.12 The excess member of staff should be offered the opportunity to visit the school to which he/she is to be redeployed.

- 2.13 The appointment to the redeployed post should be confirmed in writing and an amended contract of employment issued. For those employed in their current post before 1 April 2001, the new contract will confirm that their conserved salary point will remain unaltered

and they will not be treated as “new appointments” to the redeployed post.

- 2.14 During the period on the redeployment list the Authority may redeploy an excess member of staff to appropriate temporary post(s) at an equivalent level in other schools(s) within reasonable travelling distance and time from their home at his/her current salary (or more in the case of posts with a higher job sized salary).
- 2.15 Staff in promoted posts who are redeployed, either on a temporary or permanent basis, will be eligible to claim excess travel expenses in accordance with the authority policy for the transfer of excess unpromoted teachers
- 2.16 For staff in promoted posts being redeployed the period of notice prior to commencing their new post will be four weeks from the date of issue of the letter confirming their appointment to the redeployed post.

3. Procedure for Redeployment (School Closures)

- 3.1 A school closure is where a school ceases to operate and the pupils are transferred to another or other school(s).
- 3.2 In the event of a school closure the local line manager should meet with the Head Teacher, and DHT(s) if applicable, to explain fully the options available and the procedure for redeployment.

Thereafter, the procedure to be followed will be that described in section 2 above with the following exceptions in relation to a Head Teacher to be redeployed:

- a) There will be no requirement to contact the receiving Head Teacher although the acting Head Teacher, if in place, should be contacted to inform him/her of the proposed redeployment.
- b) All Elected Members for the ward(s) included in the schools' catchment area should be invited to attend the meeting with the Parent Council to discuss the proposed redeployment (as is the case for all Head Teacher appointments).
- c) After the meeting with the Parent Council, the meeting involving the local line manager, the Chair of the Parent Council (or Parent Council representative) and the Head Teacher to be redeployed should take the form of an informal meeting where there will be the opportunity to explore with the Head Teacher proposed for redeployment his/her awareness of the specific requirements and needs of the school.

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decision on the post to which a teacher is redeployed.

4. Procedure for Redeployment (School Mergers)

- 4.1 A merger is where two schools close and are combined into one school incorporating all the pupils of the two schools.
- 4.2 In the event of a school merger the local line manager should meet with the Head Teacher, and DHT(s) if applicable, of both schools to explain fully the options available and the procedure for redeployment.
- 4.3 The local line manager should arrange to discuss the appointment process for the Head Teacher, and DHT(s) if applicable, with the Parent Councils of both schools. All Elected Members for the ward(s) included in the schools' catchment areas should be invited to these meetings
- 4.4 Thereafter, the promoted posts in the new school, of Head Teacher and DHT(s) will initially be ring fenced for interview purposes for the Head Teachers and DHTs of the schools to be merged. Where there are two Head Teachers or two or more DHTs in post, the existing post holders affected by the merger should have the opportunity to apply and be considered for the available promoted posts, prior to the posts being advertised externally. All existing post holders who apply will be guaranteed an interview.

The normal appointment process for Head Teachers and Deputes should apply, even when there is only one applicant for a vacant post.

- 4.5 Where the new post(s) are equivalent, in terms of 2.4, to existing posts in the schools to be closed then appointment process outlined in section 2, from 2.8 on, will apply, with the exceptions in relation to a Head Teacher to be redeployed as outlined in paragraph 3.2 a), b) and c).
- 4.6 Where the new post(s) are not equivalent (ie are more than two job sized grades above the existing posts) then the normal appointment process would apply with:
 - a) Interviews being initially ring-fenced to existing post holders.
 - b) Where no appointment is made the redeployment list would be used to attempt to fill the post.
 - c) Where the post remains unfilled, it will be externally advertised.
- 4.7 If any existing post holder is not appointed, then they will be offered redeployment options, as outlined in section 2.3 onwards.