GENERAL PRINCIPLES

1. No substantive Principal Teacher (PT) shall be made compulsorily redundant as a result of the present restructuring.

2. In all cases of transfer, agreed procedures relating to travelling expenses and right to return will apply.

3. All PT and middle management (secondary schools) vacancies in North Ayrshire Council schools shall in the first instance be ring-fenced to existing substantive PTs within the school; and thereafter within North Ayrshire to those PTs affected by restructuring.

4. Where promoted posts require to be filled, applications will initially be restricted to internal applicants in substantive promoted posts.

5. PTs affected by restructuring shall have access to the Teacher Refresh or other Premature Retirement Compensation scheme for session 2011/12 (retiring August 2012)

6. New secondary middle management posts will require to be job-sized in accordance with SNCT agreements.

7. Proposals for new secondary middle management structures shall be subject to discussion at a school level and advised at LNCT.

8. North Ayrshire Council will provide support and practice in preparing for and undertaking an interview.

9. Wherever possible revised management arrangements will be in place for August 2011. However, in exceptional circumstances there may be advantages to delaying the implementation of change to 2012 or beyond.

SECONDARY SCHOOLS

10. Where a school structure is created by the amalgamation of one or more departments or responsibilities, the new vacant middle management post shall in the first instance be ring-fenced solely to the substantive PTs of the amalgamating departments within that school.

11. An affected PT can express an interest in a middle management post within their own school and for a post for which they are eligible.
12. Where two or more PTs express an interest, the post shall be filled by competitive interview.

13. Where only one eligible PT expresses an interest, the PT shall be appointed to the post.

14. All appointments to new middle management posts will require to meet with their headteacher who will outline the post objectives, detail expectations and agree any specific PRD support with set timescales to ensure achievement of objectives and expectations.

15. Where no eligible PTs express an interest in a new middle management post within a school, the vacancy will initially be ring-fenced to those PTs in North Ayrshire schools who have the appropriate subject expertise and whose substantive post has been affected by the creation of a new school structure.

16. If a PT is unsuccessful at interview stage, there will be an opportunity to apply for a middle management post in another school as and when one arises. Such vacancies will initially be restricted to internal North Ayrshire applicants in substantive PT posts with relevant subject expertise and whose substantive post has been affected by the creation of a new school structure.

17. Where a PT does not express an interest or secure a middle management position they may opt to demit the post of PT and would be transferred to a teaching post within the department if a vacancy existed, but would have no less and no more favourable treatment than departmental colleagues if a surplus situation were to arise. The demitting PT would retain conservation of salary in accordance with SNCT agreements.

18. If a new middle management post is unable to be filled from the pool of affected PTs it will be opened up to all PTs within North Ayrshire Council and if not filled an external advert on the recruitment Portal as the last stage in the process if necessary.

For further clarification concerning secondary schools

a. Those PTs who are unsuccessful in securing a new middle management post within their school at the time of restructuring and who have not demitted their post of PT, will be eligible, for the period up to the end of their conservation of salary in accordance with SNCT agreements, to have priority for any Secondary middle management vacancy within North Ayrshire Council and for which they have the appropriate subject expertise.

b. These PTs, during the period of their salary conservation, can be allocated additional duties commensurate with the status of promoted posts and that can reasonably be expected to be carried out within the normal working week in line with the 35 hour week agreement. The duties shall be discussed and agreed with the Headteacher to confirm they are commensurate with the status of the promoted post.

c. If there is dispute over the appropriate subject expertise required to undertake a Secondary middle management post, agreement will be required through LNCT on the appropriate subject expertise required.
d. In circumstances, where there is only one eligible individual with the appropriate subject expertise that individual will be appointed into the vacant post. Where there is more than one eligible individual the post shall be filled by competitive interview amongst those who are eligible.

e. All appointments will require to meet with their headteacher who will outline the post objectives, detail expectations and agree any specific PRD support with set timescales to ensure achievement of objectives and expectations.

f. If by the end of their period of salary conservation these PTs have been unsuccessful in securing a middle management post within North Ayrshire they will return to their subject as maingrade teacher and will receive the substantive salary for the post. At this point they will have no further priority rights for any promoted vacancy within North Ayrshire Council.

PRIMARY SCHOOLS

Where restructuring creates a surplus PT post in a primary school, the following procedures will apply:

Phase 1

19. Any PT in such a situation may volunteer to transfer to a PT vacancy elsewhere in North Ayrshire (details of current vacancies will be circulated). Should more than one PT express an interest in a single vacant post, precedence would be determined having regard to the length of continuous service, the personal circumstances of the teacher and his/her suitability for vacancies.

20. Where there is a likelihood that the surplus situation will resolve itself (e.g. through future retirement) within a 12 month period, a PT may alternatively volunteer for transfer, but defer such transfer for a period of up to one year. The PT would in the meantime have conservation of salary in accordance with SNCT agreements, and would continue to carry out duties appropriate to the status of PT and commensurate with the management time available.

21. A PT may alternatively opt to demit the PT post. In such circumstances, the demitting PT would retain conservation in accordance with SNCT agreements. The demitting PT would be transferred to a post within the school if a vacancy existed, but would have no less and no more favourable treatment than colleagues if a surplus situation were to arise.

Phase 2

22. Where the above procedures have not resolved the surplus situation, the remaining PT post(s) shall be filled by competitive interview, ring-fenced to the substantive PTs in the school.

The unsuccessful candidate may opt to:

a. demit the post of PT;
b. volunteer to transfer to a PT vacancy elsewhere in North Ayrshire as and when one arises. Should more than one PT express an interest in a single vacant post, precedence would be determined having regard to the length of continuous service, the personal circumstances of the teacher and his/her suitability for vacancies. While awaiting transfer, such PTs shall have conservation of salary and shall carry out duties which are appropriate to the status of PT and commensurate with management time available.

For further clarification concerning primary schools

c. Where an individual demits the post of PT or is awaiting transfer to a PT vacancy, they can be allocated additional duties, commensurate with the status of promoted posts, which can reasonably be expected to be carried out within the normal working week in line with the 35 hour week agreement, during the period their salary is conserved. The duties shall be discussed and agreed with the Headteacher to confirm they are commensurate with the status of the promoted post.