

Local Negotiating Committee for Teachers – Agreement No.3

Policy and Procedures for Teaching Staff in the Event of a School Closure, Amalgamation or the Opening of a New School

Agreed at LNCT – 13 May 2009

Approved by Committee – 10 June 2009

(Policy/Procedure Revised and Agreed by LNCT – 24 March 2015)

1. Introduction

- 1.1 To meet the needs of the community, provide an effective educational service and support Teachers with the best resources, West Dunbartonshire Council must evaluate and amend its School Estate as appropriate. This document sets out the policy and procedures to be followed in the event of a School Closure, Amalgamation or the opening of a New School.
- 1.2 This procedure will apply to all teachers affected in the event of a school closure, amalgamation or the opening of a new school.
- 1.3 Where changes have to be made to the staffing requirements, a number of factors will be considered, including the needs of the schools involved and the feedback from the Teachers concerned. This will be done through consultation with the relevant Trade Unions.
- 1.4 The Council will make every effort to avoid compulsory redundancy whilst undertaking this exercise by re-deploying Teachers. Cognisance will also be given to the SNCT guidance regarding Mechanisms to Minimise costs in relation to conservation.
- 1.5 In the case of the need for the transfer of surplus staff LNCT agreement No 10 will apply.

2. Managing Change

- 2.1 For the purposes of determining staffing procedures, a distinction is drawn between a school closure, an amalgamation and the opening of a new school.
- 2.2 A **school closure** is deemed to occur where, according to the authority's best estimate of future rolls, a school involved in a formal consultation exercise and consequent reorganisation, contributes less than 40% of the roll of the continuing school. Assuming the receiving school contributes more than 60% of the roll post reorganisation, the reorganised school will continue to be known by the name of the larger school.

- 2.3 An **amalgamation** is deemed to occur where, according to the authority's best estimate of future rolls, the schools involved in a formal consultation exercise and consequent reorganisation, each contribute at least 40% of the roll of the continuing school. In the event of an amalgamation a consultation exercise will be held to determine the name of the amalgamated school.
- 2.4 A **new school** is deemed to be formed where, according to the authority's best estimate of future rolls, none of the schools involved contributes 40% of the roll of the new school or alternatively where there emerges from a reorganisation a school that is deemed to be distinct from any establishment existing prior to the reorganisation. In the event of a new school being established a consultation exercise will be held to determine the name of the new school.
- 2.5 It should be noted that, in the event of the **re-location of an existing school** the staff will simply transfer to the new building along with the pupils. Any other necessary staffing adjustments will fall within the normal process whereby the staff of a school is regularly reviewed and adjusted to meet the current requirement.
- 2.6 When schools are affected by closure, amalgamation, the creation of a new school or the requirement to move to a new building consideration will be given to a temporary staffing enhancement for a period of two years, to ease the transition. Detail of the staffing enhancement will be determined in discussion between the affected Head Teacher(s) and the Executive Director of Educational Services according to the needs of the school(s). The enhanced staffing may be in the form of teaching staff, support staff or a combination of the two.

3 Procedure

- 3.1 The Executive Director of Educational Services, or their representative, will identify at a date as early as possible, schools and teaching staff that will be affected by a school closure, amalgamation or the opening of a new school and will inform the Trade Unions. In all cases the statutory consultative document must state clearly whether what is proposed is a closure, an amalgamation or the opening of a new school.
- 3.2 The Executive Director of Educational Services or their representative will determine, after consultation with the Trade Unions, the staffing requirements. The Executive Director will decide on the recruitment and selection process to be followed having fully considered the requirements of the schools affected. In the event that vacancies are not restricted internally a clear rationale will be given.
- 3.3 The Executive Director of Educational Services, or their representative, will meet with the affected group and advise them of the school closure, amalgamation or the opening of a new school. Consultation with the affected group will continue until the completion of the change.

4. Appointment and Redeployment of Teaching Staff

Head Teachers and Depute Head Teachers and Principal Teachers

- 4.1 In cases of school amalgamation, school closure or the opening of a new school, current substantive Head Teachers within the affected schools will be matched to the new post. This matching process should review the skills, strengths and experience required to lead the new school. Where more than one Head Teacher exists ring fenced interviews will be appropriate. The rationale for the selection criteria will be shared with the candidates and feedback will be available.
- 4.2 In line with the department's Surplus Procedures (LNCT Agreement No.10) any surplus Head Teacher, Depute Head Teacher and Principal Teacher from affected schools may be matched into equivalent posts. In the event that there are fewer posts than eligible post holders this will result in ring fenced competitive interview.
- 4.3 Holders of Head, Depute or Principal Teaching posts who do not obtain comparable posts in the remaining schools are entitled to salary conservation in line with the SNCT terms and conditions and will continue to be managed through the surplus process. Displaced promoted post-holders may be transferred into classroom teacher posts in other schools. The Head Teacher of the receiving school may allocate additional duties, so far as possible, commensurate with the status of promoted posts that can reasonably be expected to be carried out within the normal working week. Displaced post-holders will have the right to apply for other promoted posts in the normal way.

Classroom Teachers

- 4.4 Classroom teachers displaced as a result of school closure, amalgamation or the opening of a new school will be transferred in accordance with the current compulsory transfer arrangements, but given priority over staff displaced as a result of falling school roles.

General

- 4.5 To be eligible for 'matching in' or ring fenced interview post holders must hold a permanent contract or have worked in a temporary capacity for 2 years or more at the point of amalgamation/new school transfer.
- 4.6 Every effort will be made to continue the employment of temporary teaching staff following the review of school accommodation.
- 4.7 Any remaining vacancies will be advertised and filled in the normal manner.

5. Support for Staff

- 5.1 West Dunbartonshire Council recognises that the disruption occasioned by a school closure or amalgamation, or the opening of a new school, is likely to be unsettling for those staff directly affected. In recognition of this, details of support available and how to access this will be made available to all staff. These services are accessed by self-referral and are confidential.