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| [WDC logo colour](http://newintranet.west-dunbarton.gov.uk/EasySiteWeb/GatewayLink.aspx?alId=87091)  **Local Negotiating Committee for Teachers – Agreement No.25** |

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**Procedure for Removal of Supply Teachers from the Supply List**

**Agreed at LNCT- 18th September 2018**

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| **1.** | **Introduction** |

* 1. West Dunbartonshire Council is committed to the fair and consistent treatment of all casual workers engaged by the Council to undertake work on an ad hoc basis. For Education Learning and Attainment this includes Supply Teachers.
  2. This procedure provides a clear and transparent framework for dealing with concerns (or complaints) which may arise in relation to work placements, which are serious enough to warrant removal from the supply list. The Council will ensure that its operation is underpinned by robust equalities practice.

**1.3** In order to ensure the equitable application of this procedure, all parties have a responsibility to:

* Adhere to the standards and procedures set out;
* Raise concerns quickly, and seek to resolve issues informally and at as early a stage as possible;
* Co-operate in all attempts to resolve any matters; and
* Work in partnership throughout the procedure to achieve a positive outcome.

**1.4** Concerns raised will be treated confidentially by those involved in the process, with all relevant information being held in accordance with Council’s Record Management Retention Schedule and current data protection legislation.

Right to be Accompanied

**1.5** Supply Teachers may be accompanied at formal meetings by a companion, who may be:

* A fellow worker;
* A trade union representative
* An official employed by a trade union.

**1.6** If the companion cannot attend on a proposed date, the Supply Teacher can suggest an alternative date and time so long as it is reasonable and usually not more than 7 calendar days after the original date.

**1.7** The companion will be able to address the meeting, to put forward and sum up the worker’s case, respond on their behalf to any views expressed at the meeting and to confer with them during the meeting. The companion, however, cannot answer questions on behalf of the worker or address the meeting if the worker does not wish it.

**1.8** This procedure will be updated through the joint chairs of the LNCT to incorporate any relevant change to legislation or best practice as required.

**2. Procedure**

Informal Procedure

**2.1** Head Teachers are encouraged to discuss issues which arise with the Supply Teacher at an early stage with a view to resolution. In line with the supply process, where appropriate the Head Teacher will complete a report to feed back on the relevant aspects of a teacher’s performance.

Formal Procedure

**2.3** Where an informal approach has not resulted in the desired improvement or is not considered appropriate, the Head Teacher / manager should invoke the formal procedure.

**2.4** A manager wishing to formally raise a concern and propose removal from the supply register should contact the ESO Professional Learning in the first instance. The supply teacher should be provided with details in writing stating that this procedure is being invoked. This communication should clearly set out the nature of the concern and indicate the reasons why removal from the supply register is believed to be appropriate. Where appropriate, they should set out the names of any witnesses.

**2.5** The ESO Professional Learning will arrange a formal meeting and consult with the HR Business Partner before proceeding. The ESO will chair this meeting with the Head Teachers attending as appropriate to provide further details as required.

**2.6** At the meeting the manager will outline the nature of the concern and provide the Supply Teacher with an opportunity to respond and provide any relevant information. The line manager may adjourn the meeting to obtain further information to provide a decision. On occasion a formal investigation may be instructed to gather this information. Following the investigation, the meeting will be reconvened as promptly as possible.

**2.7** Within 7 calendar days of the meeting, the line manager will issue a decision in writing providing reasons for the decision.

Appeal

**2.8** The Supply Teacher may appeal the decision. The appeal will be heard by the Senior Education Officer, responsible for Career Long Professional Learning, or another appropriate senior officer.

**2.9** The Supply Teacher should submit their appeal within 14 calendar days of receipt of the formal outcome, and clearly set out the reasons for appeal.

**2.10** The relevant senior manager will arrange for the appeal to be heard, and will consult with Strategic HR, who will attend the appeal meeting in an advisory capacity. The appeal will be considered at a formal meeting which will normally take place within 14 calendar days of receipt of the supply teachers written appeal. Only in exceptional circumstances should the meeting take place outwit this time limit.

**2.11** The relevant senior manager may require the attendance of relevant parties to the appeal meeting. Where the Supply Teacher intends to call a witness, the senior manager should be notified at least 2 days in advance of the meeting.

**2.12** The senior manager may adjourn the meeting to obtain further information to provide a decision. The meeting will be reconvened promptly.

**2.13** Within 7 calendar days of the meeting, the senior manager will issue a decision in writing, providing reasons for the decision including any action to be taken to resolve the matter. This decision is final.

Notification to the GTC

**2.14** Should the teacher have done something that is of a level of seriousness that it raises concerns about their ongoing fitness to teach, it may be appropriate to notify the GTC. The GTC Fitness to Teach Threshold policy should be referred to in this instance to assess whether this is required. In this event the supply teacher will be notified that the matter is being reported to GTCS.