

29 May 2014

JS 14/48**Certain Recommendations Referred to the SNCT in the McCormac Report**

Dear Colleague

The 2013-15 Pay and Conditions of Service Agreement set out in SNCT14/40 made certain recommendations arising from the McCormac report 2011.

The SNCT has also considered a number of other recommendations and Joint Secretaries' letters of advice covering these issues are appended to this letter.

These cover "Flexible deployment of Principal Teachers", "35 hours for CPD", "Primary teachers' class responsibilities" and "Flexibility for Probationers".

Yours sincerely

Tom Young (Employers' Side)
Drew Morrice (Teachers' Panel)
Stephanie Walsh (Scottish Government)

Joint Secretaries

To: Chief Executives
Directors of Education
Directors of Personnel
Directors of Finance
LNCT Joint Secretaries

35 Hours for CPD

The Review of Teacher Employment set out in Recommendation 8:

“The 35 hours of contractual time per year that was allocated for CPD should remain but this should not be viewed as a time limit on CPD.”

The SNCT Working Group has considered this recommendation. It is recognised that individuals may choose to undertake CPD in their own time but for planning purposes the 35 hour ceiling on CPD should be retained.

Flexibility for Probationers

The Review of Teacher Employment set out in Recommendation 13:

“Class contact time for probationary teachers should not exceed 74 hours over a four week period (or pro rate term), be flexible and allow sufficient time for development needs.”

A school with a probationer teacher on the Teacher Induction Scheme which agreed to a flexible arrangement in keeping with the SNCT Code of Practice on Working Hours, Working Week may include that probationer in the arrangement, subject to the contractual class contact time being an average of 18.5 hours in line with the provisions of the SNCT Handbook over the reference period (SNCT Handbook, Part 2, Paragraph 9.10).

Flexible Deployment of Principal Teachers

The Review of Teacher Employment sets out in Recommendation 18:

“The post of principal teacher should be more flexibly deployed by local authorities and schools; it should be possible to promote staff to these posts on a temporary basis.”

The SNCT commends practice in Councils where each school has a defined number of promoted posts, either based on a formula set by the Council or by the application of a points system set by the Council but applied flexibly in the school. In such an arrangement a school may choose to use points for establishing DHT and PT posts according to the school’s plan rather than by applying a defined formula.

The SNCT makes the following comments on the Recommendation:

- (i) A distinction requires to be made between an acting up appointment and a temporary promoted post. An acting up appointment occurs when the permanent post holder is unable to fulfill the duties of the post, for whatever reason and receives payment from the first day when a period of acting up is in excess of 20 days. This is set out in full in the SNCT Handbook, Part 2, paragraph 1.61.

A temporary promoted post is likely to occur when there is a need to establish a post for a specific purpose but where that purpose is time limited.

- (ii) There is no restriction in the provisions of the Handbook in creating temporary promoted posts. Paragraph 1.26, Part 2, of the SNCT Handbook sets out the context for Councils which seek to make additional payments to teaching staff.

- (iii) The SNCT recognises that temporary posts will facilitate the delivery of specific tasks. The SNCT believes that if such posts are to be established, Councils should establish a number of core principles.
- (a) context – the decision for a temporary PT post should be set out in the School Improvement Plan and subject to appropriate consultation.
 - (b) funding – the funding for any temporary post should be transparent and in accordance with the school’s delegated budget or funded by the Council.
 - (c) size – any temporary post should be job sized in accordance with the locally agreed job sizing procedures.
 - (d) appointment procedures – the advertisement and filling of temporary promoted posts should be in accordance with the locally agreed procedures.

Primary Teachers Class Responsibility

The Review of Teacher Employment set out in Recommendation 28:

“All primary school teachers, in consultation with their Headteacher, should be responsible for the education of their class for the entire length of the pupil week, although they need not necessarily be in class during all these hours.”

The Headteacher is responsible for allocating teaching staff to classes, establishing the curricular areas to be taught by each teacher and setting out the timetable for teachers, taking account of SNCT provisions regarding class contact time. Each teacher retains responsibility for the planning, teaching, assessing, recording and reporting of that part of the curriculum which she/he is responsible for delivering.