



## **LNCT/14/11 (replaces LNCT/11/11) Excess teaching staff – Transfers**

### **Compulsory Transfer Policy for Unpromoted Teachers**

The authority reserves the right to redeploy Unpromoted Teachers where excess staffing exists within an establishment.

Where there is a need for a compulsory transfer, a “volunteer” should be sought first.

The last Teacher into the unbroken service of the authority in the particular primary school or secondary department (**or subject within a Faculty**) will be declared excess and therefore liable to compulsory transfer.

In the event of a “tie” because two or more Teachers entered service with the authority on the same date, then account should be taken of continuous Grampian or Aberdeenshire Teaching Service. If it still remains a tie, drawing of lots will determine who is to be compulsorily transferred.

Except in exceptional circumstances, staff who have been compulsorily transferred will be immune from further compulsory transfer for the same reason for 3 years.

No teacher will be subject to an unreasonable request to transfer and, in determining what is reasonable, due account must be taken of the following factors:

- i. The distance from the Teacher’s home to the school to which it is proposed to transfer.
- ii. Travelling time.
- iii. Travel into or out of Aberdeen City at “peak” times.
- iv. Availability of public transport in relation to the normal school day and collegiate time.
- v. Personal circumstances – access to private transport, it being recognised that ownership of a vehicle is not a requirement of employment unless specifically stated in the original contract of employment.
- vi. Request to return – if a Teacher who has been compulsorily transferred from a school applies for and is appointed to a vacancy which subsequently occurs in that school, such appointment will be on a voluntary basis and the Teacher will forego any remaining elements of protection arising from compulsory transfer.

### **Additional Travel Expenses**

Payment of additional travelling expenses is payable in line with SNCT Part 4 Devolved Matters -see LNCT/14/10 Section 14.7:

<http://www.snct.org.uk/library/1721/Section%204%20Devolved%20Matters.pdf>

and LNCT/14/05 Car Allowances:

<http://www.snct.org.uk/library/1718/LNCT%20-14-05%20Car%20Allowances.pdf>

14.7.3 Where a teacher incurs additional travelling expenses as a result of the place of employment being changed but is not required to move home, the employing authority shall pay an allowance equal to the difference between the costs of travelling from home to the new place of work, and from home to the old place of work, for a period of 3 years. This allowance shall be based on either -

(a) Standard class train and/or bus fares, or

(b) A mileage allowance in respect of the additional mileage actually involved in the change of place of employment whichever is actually incurred.

Note : This sub-paragraph applies where the difference between the cost of travelling both ways from home to the new place of work and from home to the old place of work is greater than £9.90\* a week, the amount to be refunded being the sum in excess of £9.90\* for 3 years from the date of transfer.

\*This limit is automatically up rated with any change in car rates and is calculated as: 22miles at car user rate (45p at 1<sup>st</sup> April 2013)

**Policy updated LNCT May 2014**