

MNCT 14/09

To Head Teachers and Heads of Educational Establishments

Ref: MNCT 14/09

Dear Colleague

### **Agreement on Arrangements for Transfer to Permanent Status for Teachers**

Under Paragraph 5.2 of MNCT 14/09 (attached) a teacher who has given satisfactory service on a fixed term or supply basis continuously for two years will be eligible to request transfer to a permanent contract, normally for the same FTE as the fixed term contract (or its average if there has been a variation in hours over the two years). Transfer will normally be to a post in the same school in which the teacher has been employed on a fixed term basis, unless a suitable vacancy within the same school is not available; in this case transfer will be to an appropriate teaching post in another school or to a pool of permanent peripatetic teachers. Transfer to permanent posts is normally effective from 1st August each year.

Teachers are entitled, at any time, to apply for vacancies in individual schools and teachers in the permanent peripatetic pool will be guaranteed a long-leet interview for any vacant teaching post in which they are interested.

Teachers who know they will have accrued two years' continuous service by the start of the following school session on a fixed-term contract or supply should request transfer to a permanent post by completing the relevant paperwork and submitting this **in writing by the end of February\*** to the Staff Support Team, Education, Communities and Economy, Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZG.

Other than in exceptional circumstances, requests from teachers in the above category which are submitted after the end of February will not be considered for transfer for August that year.

However, where a teacher in any sector accrues 2 years' continuous service at a point between August and December, he/she may submit a request at that point. The application will be considered within 4 weeks of submission.

In the secondary sector, teachers whose fixed-term contracts are due to finish at the end of the financial year, or at the beginning of SQA exam leave, and in February\* are not clear whether extensions to these contracts will be made, should nevertheless apply for transfer, despite the two years not yet being achieved, making clear the contractual situation at the time of application. Where contracts are continued, applications will be processed in accordance with the policy.

Teachers in other sectors whose fixed-term contracts may be extended beyond the end of the financial year should also apply by the end of February\*, making clear their contractual situation.

Satisfactory service will be assessed through the submission of:

- A Report from Head Teachers of the schools in which teachers have been employed on a fixed-term basis covering the two year period entitled 'Revised Fixed Term/Short Term Supply Teacher Report'
- An up-to-date CPD record

In addition, teachers should submit with their request and the above mentioned paperwork, details of their working hours on the form entitled 'Details of Work for Completion by Teachers Requesting Permanency'.

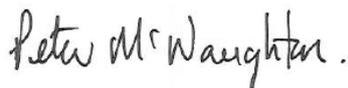
**Please note that no request can be considered without the above. It is the responsibility of the teacher to ask head teachers to complete and return to her/him the necessary form at the end of each fixed term contract.**

We would appreciate if Head Teachers could provide a copy of this letter and the MNCT agreement to any teacher in your school who is on a fixed-term contract or on supply.

For clarification, the definition of continuous service for teachers is stated in Part 2, Section 1, 1.18 of SNCT handbook 'A week of teaching service comprises any week in which a teacher is employed, as a teacher, by a council regardless of the number of hours worked. This includes periods of annual leave, public holidays, sickness absence, family leave or other special leave but excludes probationary service.'

Should any teacher wish any more information he/she may contact either the local union secretary or the Staff Support team at Fairfield House.

Yours sincerely



Peter McNaughton



Sonia Kordiak