

Permanent Variation on Clause 8.5

1. INTRODUCTION

- 1.1 Clause 8.5 of the SNCT conditions states that:
- "A teacher who is employed on the temporary staff may at any time apply for a transfer to the permanent staff and the application shall not normally be refused if a teacher has given satisfactory full-time continuous service for a period of one year. Transfer, where granted, should normally be from 1st August."*
- 1.2 This commitment has not routinely been achievable in recent years for a variety of reasons. In recognition of this the LNCT has been committed to achieving agreement on a long term, permanent variation to this clause.
- 1.3 This collective agreement will modify existing Clause 8.5 for the duration of the agreement, which commenced 1st August 2011.

2. PURPOSE

- 2.1 The LNCT wishes to recognise the important contribution made by short-term supply teachers and teachers on fixed-term contracts.
- 2.2 The purpose of this agreement is to ensure that clear, consistent and fair pathways exist for staff to secure permanent employment with the Council. It is also to assist the Council with effective workforce planning, ensuring the necessary degree of flexibility and adaptability to changing circumstances.
- 2.3 This agreement recognises the SNCT/31 Code of Practice on the Use of Temporary Contracts and The Part-Time Workers (Prevention of Less Favourable Treatment) and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.
- 2.4 The aim of SNCT/31 and the Code is to establish good practice on the use of temporary contracts, and to help Councils manage their staffing requirements in a co-ordinated and structured way. This allows service needs to be addressed while, at the same time, provides teachers with access to secure employment opportunities.

- 2.5 The application of the Agreement will allow the Council to establish an available and professional permanent supply pool which meets the needs of the service.

3. PROPOSAL

- 3.1 The terms of this agreement will apply only to those teachers with present and ongoing service with Glasgow City Council.
- 3.2 Any teacher who has been continuously employed for four or more years will be offered the post they occupy at that time if there is a permanent vacancy. Where this is not possible, these Teachers will be invited to the "surplus" meeting and placed into a permanent vacancy in line with the agreed procedure for placing "surplus" teachers at that time.
- 3.3 Teachers who accrue two years continuous service and a satisfactory Headteachers report will be invited to the annual "surplus" meeting and placed into a permanent vacancy in line with the agreed procedure for placing all "surplus" teachers at that time. Continuous and ongoing service prior to the date of this agreement will apply.
- 3.4 For the purposes of this agreement, two years continuous service will normally be as at 31 March of that year. The two years continuous service must be as a fully registered teacher. Induction year and flexible route service does not count towards the entitlement to a permanent post.
- 3.5 When all teachers who have been designated as being "surplus" have been placed into permanent vacancies, priority when filling any other permanent vacancies will then be given to Teachers who have aggregated service with Glasgow which amounts to 80% or more of the most recent four consecutive school sessions, even where there are breaks in service. Where it is possible, teachers meeting this criteria will be given a guaranteed interview, provided they have met the Standard for Full Registration, and are fully registered.

- 3.6 Teachers who have had breaks in service, but their aggregated service during the two most recent consecutive school sessions is equal to or more than 80% of those two school sessions, will be given priority when the Council is appointing teachers to fixed-term contracts. The exception to this will be when a short-term contract changes to a long term contract as described at 4.7 below.
- 3.7 For the purposes of 3.5 and 3.6 above, the calculation used to determine if a teacher has worked 80% of a school session will be without detriment to Teachers who work part-time.

4. CONTRACTS

- 4.1 It is proposed that a fixed-term temporary contract will normally be issued when the reason for, and the duration of, the need for the teacher is known from the outset and where the duration is more than five days.
- 4.2 In these circumstances a temporary contract of employment will be issued specifying entitlement to pay and conditions of service, the likely duration of the contract and the reason for the appointment.
- 4.3 Such fixed-term temporary contracts will usually be used when the need arises from:
- Maternity leave.
 - Parental leave.
 - Adoption leave.
 - Career break.
 - Long-term sickness absence.
 - Secondment.
 - Sabbaticals.
 - External or fixed-term funding.
- 4.4 Teachers appointed on this basis will have their pay processed through the M1 payroll if their contract is extended to, three months or more, to avoid the need for the completion and processing of monthly timesheets.
- 4.5 The temporary payroll (M2) will only be used for short-term temporary supply work. Supply work will only be offered to those who have been recruited to the short-term supply register.
- 4.6 Short-term temporary supply work will normally be offered to cover the following:
- Continuing professional development.
 - Authorised cover for Council agreed working groups.

- Special leave e.g. jury duty, bereavement leave.
- Paternity/Maternity support leave.
- Short-term sickness absence.
- Authorised trade union duties.
- SQA duties.

4.7 Where it becomes clear that the need for a temporary placement is likely to be ongoing or lengthy e.g. short-term sickness moving into long-term sickness, then the teacher will normally be issued with a fixed-term contract.

4.8 This Agreement endorses the maintenance of a permanent Primary supply pool teaching posts in order to guarantee a sound basis for cover for maternity leave, long term sick leave, secondments, career breaks, etc.

5. RECRUITMENT TO THE SUPPLY REGISTER

- 5.1 Recruitment to the short-term temporary supply register will be through specific application and the normal selection process will apply.
- 5.2 The exception to this will be those teachers who have completed their induction year with Glasgow City Council and for whom there is a detailed report on their competence e.g. probationer teachers who are recommended for full registration will be accepted on to the supply register upon application without interview, subject to the normal employment checks. This exception will apply for up to 12 months after the final report but may be subject, depending on circumstances, to further satisfactory Headteacher reports or employment references.
- 5.3 At any time a teacher on a fixed-term contract will not be constrained from applying for advertised posts in open and competitive interview. In the case of ring-fenced interviews, this would only apply in circumstances where the individual teacher qualified in terms of the conditions, including length of service.

6. INTERNAL RECRUITMENT

- 6.1 Glasgow City Council will run an internal advert for teaching posts in February of each year. The advert will be accessible to all current registered supply teachers and probationers including **permanent supply teachers** (subject to achieving the Standards for Registration) who will be eligible to apply.

- 6.2 All probationers and fixed-term teachers should be encouraged to apply to the internal advert as this may result in them being offered firstly a permanent supply contract, a fixed-term contract or a post to a named school if subsequent vacancies remain following the annual staffing exercise.
- 6.3 The advert will be notified via the staffing communications by email and link to all establishments, this information will be provided by the Headteacher. Headteachers are responsible for contacting teachers who are on maternity leave or long-term sickness absence. Ultimately, it is the responsibility of the individual teacher to access the advert and apply for available posts.
- 6.4 The scoring that an applicant receives as a result of this application process will also include a current Headteacher's report. An applicant's scoring will be valid for the remainder of that recruitment drive only. This affords the opportunity for applicants who may not perform well at interview to apply to a further advert and improve their recruitment score.
- 6.5 Teachers who select not to apply to the advert yet meet the criteria under LNCT 18 to be given priority for long term posts will still be considered for any remaining positions. However, due to the internal advert, it may be the case that there will be fewer long-term positions available for allocation in August and it is therefore advantageous that temporary teachers apply to the advert.
- 6.6 Following the recruitment process interview panel chairs will score candidates according to their interview performance. The allocation of permanent or temporary work will depend on the number of posts available in each sector or each subject.

Due to the early timing of the advert, all applicants in the first instance can only be offered the following, but see 6.7:

- Permanent supply contact
- Fixed-term contract
- Supply registration

The above process will also suffice as registering finishing probationers on Glasgow City Council's supply register and they will not require to undergo any further interview.

- 6.7 If subject posts or primary posts become available in specific schools after all surplus teachers have been allocated, including those who have secured employment rights by the end of March, these posts will then be allocated to the applicants with the highest recruitment score. If there are more applicants than posts, then the applicant may require to attend a specific interview at that school. Applicants may choose not to put themselves forward for posts in a particular school; however, the outcome of this may be that they will be allocated a permanent supply post or a fixed-term post.

7. CONTINUING PROFESSIONAL DEVELOPMENT

- 7.1 It is essential that temporary Teachers are treated in the same way as permanent Teachers with regard to appropriate induction, training and support.
- 7.2 All teaching staff are entitled to continuing professional development and there is a requirement to undertake 35 hours additional contractual professional development, pro rata in the case of those working part-time.
- 7.3 CPD is a shared responsibility between the individual teacher and the Headteacher of a school or establishment in which they are employed irrespective of the nature of the contract of employment.
- 7.4 A teacher on a temporary contract who has been deployed in a school for a period in excess of six months will have their continuing professional needs met in the normal way through Professional Review and Development process.
- 7.5 Teachers employed on a short-term temporary contract will have their Professional Review conducted by an appropriate colleague in the establishment in which they are deployed on 1st September every year.
- 7.6 Specific continuous professional development opportunities will be offered to teachers working on short-term supply.
- 8.** This agreement is without prejudice to the right of any teacher to pursue his/her rights with reference to employment law.