

Midlothian
Negotiating
Committee for
Teachers

Acting Up Policy



MNCT 17/04

Acting Up Policy

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1. INTRODUCTION

1.1 Midlothian Council recognises the need for an employee, on occasion, to temporarily assume duties and/or responsibilities of a more senior post due, to either the absence of a colleague, or where a post is vacant. This is referred to as 'acting up'. The Council recognises that 'acting up' provides employees with opportunities for personal and professional development as well as providing the service with consistent and continuous service. Opportunities for career enhancement should be opened up to as wide a pool as possible in order to ensure equality of opportunity.

Acting up appointments can arise for a variety of reasons including absence of the substantive postholder due to sickness, or to cover a vacancy until it is filled.

2. SCOPE

2.1 This policy applies to Midlothian Council Teaching Staff and those on SNCT Terms and Conditions.

2.2 This policy only applies when an employee is undertaking duties associated with a promoted post e.g. a Teacher acting up to a Principal Teacher post or a Principal Teacher acting up to a Deputy Head Teacher post.

3. FACTORS TO CONSIDER

3.1 Prior to a decision being made to temporarily cover a post by means of an acting up arrangement, Head Teachers or Schools Group Managers (in the case of an acting HT position) should first consider the following:

- Whether or not it is possible to provide continuity of service delivery without covering the absence/vacancy.
- The period of the expected 'acting up' requirement. If it is expected to continue for a period of more than six months then consideration should be given to recruiting a fixed term employee to the post or offering a secondment opportunity.
- Whether the post is currently covered by a job share arrangement in which case in line with the Council's Job Share Policy, the remaining incumbent will be provided the opportunity to assume the full time hours prior to an acting up arrangement being considered.

3.2 Where the 'acting up' requirement is for a promoted post within a denominational school, Catholic Church approval **must** be obtained prior to the commencement of the 'acting up' arrangement. An employee without Catholic Church approval cannot 'act up' into a promoted post within a denominational school.

4.0 AUTHORISATION TO ACT UP

4.1 Prior to the commencement of an 'acting up' arrangement, written authorisation must be obtained from the relevant Schools Group Manager or Head of Education via normal recruitment authorisation procedures. Failure to obtain the necessary authorisation and/or submit the appropriate documentation could result in non-payment of the 'acting up' allowance.

5.0 APPLICATION AND SELECTION PROCESS – GENERAL PRINCIPLES

5.1 The process for the selection of an employee to “act up” must be carried out in a manner that ensures equality of opportunity for all. It is recognised however that in exceptional circumstances this may not be possible and cover is required at very short notice. See Section 6.0.

5.2 If the vacant post is the subject of a job sharing arrangement then in the first instance the job share partner will normally be given the opportunity to fill the vacancy by transferring to a full time contract by assuming the additional temporary hours.

6.0 – APPLICATION AND SELECTION – THE PROCESS (for acting up arrangements of less than 12 weeks with a defined end date)

6.1 It is recognised that exceptional situations may arise that make it necessary for the manager to nominate an employee to 'act up' without opening up the opportunity to a wider group. This would only be applicable where the anticipated acting up duration is less than 12 weeks. In such exceptional situations advice must be sought from the Schools Group Manager and HR before proceeding with an appointment.

6.2 In such situations it is important that the identified candidate is subject to an interview process as detailed in either section 7.0 or 8.0 below.

6.3 Where no suitable candidate(s) is identified then the acting up opportunity should be opened out to all schools within Midlothian. The specific principles detailed in sections 7.0 or 8.0 must be followed.

7.0 – APPLICATION AND SELECTION - THE PROCESS (for acting up arrangements in excess of 12 weeks)

7.1 Acting up to a Principal Teacher post

7.1.1 The acting post will be advertised in the first instance within the school for a period of no less than one week.

7.1.2 Expressions of interest will be made to the Head Teacher on the form provided at Appendix 1.

7.1.3 A shortlisting process will then take place by the interview panel.

7.1.4 In all cases (even if only one candidate applies) an interview must be held in order to determine suitability for the 'acting up' position.

7.1.5 Either a successful employee will be appointed or the decision may be taken to share the opportunity proportionally or on a rotating basis among the competent employees.

7.1.6 The interview panel where practicable will consist of a Head Teacher, Depute Head Teacher and peer Principal Teacher if available. If no Depute Head in school then may be an assisting HT or DHT from another school.

7.1.7 If no suitable candidate applies or is selected from within the school, expressions of interest should be opened out to all schools within Midlothian. If the acting position is within a primary school then the opportunity should be made available to all primary schools within Midlothian. If the acting position is within a secondary school then the opportunity should be made available within all secondary schools within Midlothian.

7.2 Acting up to a Depute Head or Head Teacher post (for acting up arrangements in excess of 12 weeks)

7.2.1 Expressions of interest will be invited from all schools within Midlothian for a period of no less than one week.

7.2.2 Expressions of interest will be made to the relevant Head Teacher or Schools Group Manager (if the advert is to cover a Head Teacher post) on the form provided at Appendix 1.

7.2.3 A shortlisting process will take place by the interview panel.

7.2.4 In all cases (even if only one candidate applies) an interview must be held in order to determine suitability for the 'acting up' position.

7.2.5 Either a successful employee will be appointed or the decision may be taken to share the opportunity proportionally or on a rotating basis among the competent employees.

7.2.6 It is advised that the interview panel for (a) a Head Teacher post in either a Primary or Secondary school consists of two Schools Group Managers (or Head of Education if required) and a Head Teacher from the same sector from another school within Midlothian (the incumbent HT will not be included on the interview panel) and (b) a Depute Head Teacher in either a Primary or Secondary school consists of two Schools Group Managers or one Schools Group Manager and the Head Teacher of that school. It is desirable although not necessary to include members of the Parent Council.

7.3 Who is initially eligible to apply for acting positions of more than 12 weeks

Post	Eligible to Apply
Principal Teacher – Primary School	All Teachers in the school
Principal Teacher – Faculty / Subject	All teachers within that faculty / subject area
Principal Teacher Guidance	All teachers in the school
Principal Teacher Support for Learning	All teachers in the school
Depute Head Teacher – Primary	All Primary Teachers across Midlothian
Depute Head Teacher – Secondary	All Secondary Principal Teachers across Midlothian
Head Teacher – Primary	All Primary Depute Head Teachers and Principal Teachers across Midlothian
Head Teacher – Secondary	All Secondary Depute Head Teachers across Midlothian
All posts within a specialist provision	All suitably qualified Primary or Secondary Teachers across Midlothian

8.0 PERIOD OF ACTING UP ARRANGEMENT

8.1 The reason for the acting up arrangement and the expected duration should be clear from the outset.

8.2 A reasonable period of notice should be given by either party to terminate the arrangement but should be no less than one week from either side.

8.3 If the arrangement ends prior to the expected end date then the appropriate electronic iTrent changes form should be completed and forwarded to (non) contractual changes mailbox taking cognisance of payroll cut off dates. Failure to forward this documentation in a timely manner could result in an overpayment to the employee.

9.0 PAYMENT OF ACTING UP ALLOWANCE

9.1 An allowance will be paid in accordance with the provisions of the SNCT Handbook. The allowance is based on 100% of the difference between the employee's substantive salary and the salary for the higher duties post.

9.2 If the teacher is already employed in that school, education establishment or education team there is no additional salary entitlement until they have been in the acting post for 20 days. The 20 days do not have to be consecutive. Once the teacher has been employed for 20 working days, payment is made for those 20 days and every subsequent day employed in the post.

9.3 If the teacher is again employed in an acting capacity in the same post, and six months has elapsed since the teacher left the post, the 20 working day requirement will apply once more.

9.4 This allowance will be paid at 1/235 of the annual rate per working day. This calculation incorporates a working year of 195 days plus 40 days' holiday entitlement, totalling 235 days. Annual leave will be paid on a pro rata basis.

9.5 The allowance will continue to be paid during a school holiday period providing the Teacher is returning to the acting up position immediately following the school holiday period.

9.6 The allowance will also continue to be paid during other forms of paid and unpaid leave where the period does not exceed four weeks e.g. paternity leave, parental leave, sickness absence etc.

10.0 ADMINISTRATION

10.1 On appointment of a successful candidate to 'act up', the recruiting manager should email an electronic copy of the iTrent form 'Act Up Start Form' to the (non) contractual changes mailbox. The iTrent form can be found on the intranet under HR policies and procedures and/or on Staffroom.net.

10.2 The written expression of interest for the successful candidate should also be emailed along with the iTrent form to the (non) contractual changes mailbox.

10.3 It will be assumed that the acting up appointment will cease on the date specified by the manager on the 'Act Up Start Form'. If early termination of the acting up position is required, then it is the responsibility of the manager to email an electronic copy of the iTrent form 'Act Up Early Termination' to the (non) contractual changes mailbox.

10.4 If an extension to the acting up arrangement is required then the manager should submit an electronic copy of the iTrent form 'Extension to contract/hours' iTrent form to the (non) contractual changes mailbox.

10.5 The employee will receive a contractual letter from the Employment & Reward team confirming their appointment/extension/early termination to the acting up position.

10.6 Cognisance must be given to the payroll deadline dates as advertised on the intranet and on staffroom.net and a delay in notifying the Employment & Reward team of the appointment/early termination/extension of the acting appointment may affect payment/overpayment of the allowance.