



## LNCT 15 – Future Provision – School Accommodation and Staffing

December 2018

### Introduction

This agreement is the result of extensive negotiations between the Directorate and the Teacher Trade Unions. The agreement fully recognises the collegiate style of management, involving all staff, which should exist in all establishments. This agreement sets out the procedures to be followed for staffing schools following Inverclyde Council's decision to close schools.

### Principles

- The promotion of job security for staff affected by Inverclyde Council's school closure programme.
- That displaced promoted staff will, as far as practicable, be offered alternative comparable positions in remaining schools.
- That displaced permanent classroom teachers may be offered, if there is no other viable option, alternative employment in posts arising from long-term absences.
- That every effort will be made to ensure the continuity of the employment for temporary teaching staff.

### Managing change

In developing this agreement, the sensitivities surrounding a school closure are recognised and are reflected in the four principles set out above, while at the same time setting out procedurally the arrangements to be followed for the appointment of staff.

For the purposes of determining the staffing procedures, a distinction has been made between phasing, amalgamation, school closure and a new school.

**Phasing** occurs when a decision has been taken to bring together three or more schools over a period of time.

An **amalgamation** occurs where, according to the authority's best estimate of roll projection, as contained in the consultation document, it is estimated that each of the schools being reorganised will contribute at least 40% of the projected roll of the continuing school.

A **school closure** occurs where, according to the authority's best estimate of roll projection, as contained in the consultation document, it is estimated that each of the schools being reorganised will *not* contribute at least 40% of the projected roll of the continuing school.

A **new school** recognises a situation distinct from the categories of amalgamation or closure.

### **Arrangements for the appointment and redeployment of teachers**

The following details the procedures to be followed when the decision has been taken for a phased closure of schools:

Substantive Head Teachers, Depute Head Teachers and Principal Teachers, in continuing schools, will retain their posts until the final stages of phased closure when posts will be filled in accordance with the procedures set out in 4.2 below.

In situations where there are no substantive posts holders in continuing schools, any promoted staff vacancy will be filled on a temporary basis by a displaced Head Teacher, Depute Head Teachers or Principal Teachers, depending on the grade of post, until the final stages of phased closure. In the interim, holders of Head Teacher, Depute Head Teacher and Principal Teacher posts may be given duties commensurate with their position.

In situations where there are promoted staff not placed in accordance with the procedure above, the procedures detailed below will apply in the final stages of phased closure. In the interim, holders of Head Teacher, Depute Head Teacher and Principal Teacher posts may be given duties commensurate with their position.

Classroom teachers, in the discontinuing school(s), will be: (i) redeployed to continuing schools associated with the phasing, or (ii) have the option, in the first year, of requesting transfer to any other school where there is a suitable vacancy.

The following details the procedures to be followed when the decision has been taken for there to be: (i) an **amalgamation**, and (ii) the establishment of a **new school**. In each case of the former, these procedures apply to **all** teaching posts in the schools being reorganised:

The post of Head Teacher will be nationally advertised but serving Head Teachers in any of the schools directly affected by the school closure programme are guaranteed an interview for any equivalent post.

Posts of Depute Head Teacher will be nationally advertised. Serving post holders are guaranteed an interview for any equivalent post.

Posts of Principal Teachers will be advertised in accordance with the legal requirements for such posts. Serving posts holders are guaranteed an interview for any equivalent post.

Holders Head Teacher, Depute Head Teacher and Principal Teachers who do not obtain comparable posts in the remaining schools are entitled to salary conservation as set out in the SNCT Handbook Part 2, Section 1.

Displaced promoted post holders may be transferred into classroom teacher posts in other schools.

The Head Teacher of the receiving school may, with the agreement of the teachers concerned, allocate additional duties, so far as possible, commensurate with the status of promoted posts as can reasonably be expected to be carried out within the normal working week.

Displaced post holders will have the right to apply for other promoted posts in the normal way.

Classroom teacher posts will generally be filled by transfer of staff from the affected schools on the length of continuous service with Inverclyde Council (including that with the former Strathclyde Regional Council). Staff will be afforded the opportunity to transfer to schools other than those designated as part of the school closure programme when a vacancy is known to exist. Any remaining vacancies will be advertised and filled in the normal manner.

The above will not apply when an existing school is being accommodated in a new building/location.

The advertisement for the national advert for promoted posts will contain the following statement: “This vacancy has resulted from a programme of school closure in Inverclyde.”

The following details the procedures to be followed when a **school closure** occurs:

Serving Head Teachers, Depute Head Teachers and Principal Teachers in closing schools, will be guaranteed an interview for any equivalent post in which they express an interest.

Holders of Head Teachers, Depute Head Teachers and Principal Teachers posts who do not obtain comparable posts in the remaining schools are entitled to salary conservation as set out in the SNCT Handbook.

Displaced promoted post holders may be transferred into classroom teacher posts in other schools.

The Head Teacher of the receiving school may, with the agreement of the teachers concerned, allocate additional duties, so far as possible, commensurate with the status of the promoted posts that can reasonably be expected to be carried out within the normal working week.

Displaced post holders have the right to apply for other promoted posts in the normal way.

Classroom teachers will be transferred from the closing schools on the length of continuous service with Inverclyde Council (including that with the former Strathclyde Regional Council). Staff will be afforded the opportunity to transfer to schools other than those designated to be part of the school closure programme when a vacancy is known to exist.

Every effort will be made to continue the employment of temporary teaching staff following the implementation of the school closure programme. Priority will be given to those teachers with the greatest service with Inverclyde Council (including that with the former Strathclyde Regional Council).

Promoted posts in remaining schools will continue to be held by existing post holders.

Any additional senior management posts established as a result of the school closure programme will be advertised in accordance with council policy and legislative requirements. Advertisements will indicate clearly when posts result from Inverclyde Council’s decision to reduce the number of schools.

Classroom teachers displaced as a result of closure will be transferred in accordance with the agreed compulsory transfer arrangements but given priority for vacancies over staff who have been declared surplus

as a direct result of falling school rolls. Displaced promoted post holders may be transferred to classroom teacher vacancies.

### **Retirement**

Staff affected by the school closure programme may be offered the opportunity to retire “in the interests of efficiency” in accordance with the Council’s premature retirement scheme for teaching staff. This opportunity may also be given to staff in other schools. Teachers can also, if they so wish, take advantage of either the Winding Down scheme or the Actuarially Reduced Pension scheme.

### **Welfare of staff**

Inverclyde Council recognises that any decision to review the education provision may well be unsettling for staff who are directly or indirectly affected by the review. In recognition of this, details of the Council’s Occupational Health provision will be made available to all teaching staff.

Affected staff will be offered an opportunity to meeting with Council officers in accordance with the agreed transfer procedures and they may be accompanied by a member of their trade union if they so wish.

### **Staff Enhancement**

The enhancement of the staffing levels of affected schools will be that set by the Council’s Education and Communities Committee. Head Teachers will be asked to submit specific proposals as to how the additional resource will be used.

### **Legislative Framework**

Full account will be taken of all appropriate legislative requirements in applying this policy.