ARGYLL AND BUTE COUNCIL
COMMUNITY SERVICES: EDUCATION

LOCAL NEGOTIATING COMMITTEE FOR TEACHERS 11TH SEPTEMBER 2026

TRANSFER POLICY AND GUIDANCE FOR TEACHERS

1. Introduction

1.1 Teachers are appointed by Argyll and Bute Council to the service of the Education Authority and not to a particular school but rather, to a geographical area. As such they may be transferred between schools in that geographical area.

This paper details the circumstances which may lead to a transfer, the means by which teachers will be selected for transfer, and the arrangements that would apply to transfer teachers.

1.2 The requirement to move or transfer to another school will normally be the result of the following reasons:

- circumstances relating to falling school rolls
- circumstances relating to the reduction of service provision in the base school e.g. curriculum change
- exceptional circumstances

1.3 At the time of notification of surplus/vacancy the list of possible vacancies will be made available to those who wish to volunteer for transfer or for those who have been declared surplus. It is recognised that the list of available vacancies may be minimal or non-existent in some areas of the Council.

1.4 Where an appropriate post in the school of a teacher has been transferred becomes available within two years of transfer, they should be given the opportunity to return.

2. Circumstances Relating to Falling School Rolls or Relating to the Reduction of Service Provision in the Base School eg. Curriculum Change

2.1 In line with the authority's staffing formulae, and the projection for the roll of the school, a staffing complement will be determined annually for each school. A timeline for this process is contained within Appendix 1 but normally schools will have identified by February their projected staffing requirement for the following academic session. Thereafter it will be possible to identify schools where there is a potential surplus or deficit of staff.

2.2 There are also circumstances where a school roll and staffing could alter significantly during the course of a session and this could give rise to the need for an in-session transfer. In this case 8 working weeks' notice of the requirement for a transfer would be provided.

2.3 **Voluntary transfer**

Where it becomes necessary for a teacher to be transferred, the Education service will explore first the possibility of a voluntary transfer.

In a primary or special school this will be done on the basis of a meeting of the whole teaching staff with the Head Teacher. In a secondary school the Head Teacher will call a meeting of all staff in all subjects in which a surplus has been identified (see guidance in 2.4 below on agreed procedures for compulsory transfer of surplus teachers in primary and secondary schools), having previously informed all teaching staff of any surplus(es) being declared. At this meeting the Head Teacher should inform the staff of the projected staffing complement in the school. In a secondary school the Head Teacher should indicate the subject(s) that has been identified as requiring a reduction in staff.

Staff who are absent through illness, on secondment, on maternity/paternity leave, or on a career break, must be kept informed, in writing, of the evolving staffing position, and any changes, as they occur.

The Head Teacher should ask that any teacher who wishes to volunteer for transfer should inform the Head Teacher, in writing, within five working days of the meeting.

If more staff volunteer than are needed, the Head Teacher should discuss the position with the volunteers in an endeavour to resolve the position by mutual agreement, taking into account personal circumstances such as considerations of travel, family and health which would reasonably be part of such a decision-making process. If this is not possible, then the teacher with the most service from the volunteer group should be offered the transfer in the first instance. The means by which length of service is determined is detailed in 2.3 below.

2.4 **Compulsory transfer**

Where no volunteer is found, then the teacher with the least length of service will be liable for transfer. The following criteria will be applied to determine the teacher with least service in order of priority shown below:

(1) Total length of continuous service in Argyll and Bute including, if necessary, service transferred from Strathclyde Regional Council, provided it was continuous with the service with Argyll and Bute.

(2) Total length of continuous service based in their present school.

(3) Total length of all teaching service.

(4) Drawing of lots.

Once this process has been completed, and a teacher identified for compulsory transfer, the Head Teacher must complete an Integrated Impact Assessment (IIA) The assessment should consider whether the proposed transfer may affect individuals with protected characteristics and ensure that any potential adverse impacts are identified, mitigated, or managed appropriately. Completion of the IIA forms part of the Council's statutory duties under the Equality Act 2010 and ensures fairness, transparency and consistency in the application of compulsory transfers.

2.5 **Continuous Service**

In relation to criteria (1) and (2) continuous service refers to full and part-time service and will include temporary service where there has been no break in service.

2.6 **Period of exemption following a transfer**

After a compulsory transfer, a teacher will not normally be similarly transferred again within a period of 3 years, unless the compulsory transfer has been to a temporary post.

2.7 **Maternity Leave/Adoption Leave**

A teacher who returns to work following a period of ordinary or additional maternity leave, will be deemed to have no break in continuity of service. This also applies to adoption leave.

2.8 **Career Break**

Any period of career break under two years will not be regarded as being a break in continuous service. Where a career break of more than two years has been taken, and necessitated a resignation from post, service will be deemed not to be continuous.

2.9 **Substantive post holder**

Where a surplus is declared it is the post that is surplus. In all cases it is the service of substantive post holder(s) that will be used to determine length of service, not the service of the person who may be temporarily occupying the post e.g. covering a secondment or long-term absence.

2.10 **Identifying secondary surplus staff**

In secondary schools, each member of teaching staff must be designated as teaching in a given subject or specialist support area. This will be based on the proportion of time that the teacher is timetabled to teach that subject or to provide specialist support during the current academic year in which the staffing analysis is being made. In applying the criteria in a secondary school, the unpromoted staff in each subject, as defined in this paragraph, constitutes a single group.

The teacher(s) identified by the above process will then be compulsorily transferred to an available permanent vacancy for which they are qualified. If there is no permanent vacancy available the teacher may be temporarily transferred to a suitable alternative post without prejudice to their permanent employment status. If no appropriate vacancy currently exists, the teacher will be informed that they will remain in their current post until a suitable vacancy or other option is identified.

2.11 **Promoted Posts**

Where promoted posts may no longer be required because of roll changes or school reorganisation, the options are (i) transfer to a suitable alternative promoted post or (ii) transfer to a class teacher post with conservation of salary in accordance with the SNCT Handbook of Conditions of Service. This may be in the same school or a different school.

Note: The identification of a 'suitable alternative promoted post' would be established on a case by case basis. As far as is compatible within the provision of new legislation every effort will be made to identify opportunities for the meaningful deployment of HTs/DHTs.

2.12 **Notice period**

Written notice of any intended compulsory transfer will normally be at least 4 working weeks for a teacher/chartered teacher, and 8 working weeks for a promoted post holder, before the effective date of transfer, or in the case of a mid-session transfer 8 working weeks as per Appendix 1.

2.13 **Travelling expenses**

The Council will reimburse, for a period of 4 years, any excess travelling expenses incurred by an employee not forced to move home but whose place of work is changed

3 Exceptional circumstances

3.1 It is recognised by teacher trade unions and Education management that there may be exceptional circumstances where a teacher would transfer to another post for reasons other than those given above. These may relate to personal matters or the breakdown of working relationships. Management would always, in the first instance, seek to resolve any difficulties within schools. Only where it was regarded that there was an irrevocable break down in relations would a transfer be considered. Generally management would seek the agreement from all involved i.e. trade union, management and the teacher.

3.2 Where a transfer is the proposed action and agreement cannot be reached on this, a review of the reasons for this option will be undertaken by the head of service and their appropriate trade union representative.

3.3 A request for transfer falling into this category should be made in November/December to allow it to be considered as part of the staffing exercise.

3.4 In normal circumstances individual teachers do not have the right to ask for a voluntary transfer other than as defined in this policy, but in exceptional circumstances the Council's redeployment policy may apply.

4. Grievance

Where the teacher to be transferred remains dissatisfied with the decision they will have the right to invoke the Councils' grievance procedure regarding the circumstances of the transfer. In accordance with this procedure the status quo ante would be maintained until the grievance is resolved.

Appendix 1

Guidelines for the timing of the transfer programme for each academic session

1.	Oct:	Pupil rolls finalised after the September census data (this could give rise to mid-session transfers)
2.	Jan:	In early January, Head Teachers submit first staffing return to Staffing Officer. Council budget for the following financial year determined and staffing formula applied.
3.	Jan/Feb:	All schools estimated staffing complement for the next school session determined, including potential surplus/deficit. Staffing meeting with Heads of Service as required.
4.	Feb/March:	Head Teachers in schools with identified surplus hold appropriate staffing meetings and inform relevant absent staff.
6.	April:	Any voluntary transfers agreed by start of April
7.	May	Allocation of probationers and transferred surplus staff to schools. Written confirmation to staff



Signed on behalf of Education Management
Name: Wendy Brownlie
Designation: Joint Chair of JSC
Date: 11/09/2026



Signed on behalf Teachers' Side
Name: Dan Semple
Designation: Joint Chair JSC
Date: 11/09/2026