

THE MORAY COUNCIL LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

AGREEMENT ON TEMPORARY FIXED TERM AND PART TIME CONTRACTS

Background

SNCT/31 was published on 29 March 2004 and includes a code of practice on the use of temporary contracts. As a result of this circular, LNCTs shall seek to reach an agreement, based on the national code of practice, which will replace the current arrangements under paragraph 8.5.

Agreement

It is agreed that:

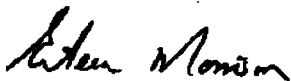
1. The Moray Council seeks to maximise the number of permanent teaching posts and whilst so doing, recognises two situations when a teacher may be needed to work other than on a permanent basis.
2. Fixed Term Temporary Requirement
 - 2.1 This will be used where it is known from the outset the reasons for the temporary requirements and its likely duration. A temporary contract of employment will be issued as soon as possible specifying entitlement to pay and conditions of service and detailing the expected duration of the appointment and the reason for it.
 - 2.2 The use of fixed term temporary appointments will be made in a number of circumstances including the following:
 - Maternity leave
 - Parental leave
 - Adoption leave
 - Career break
 - Long term sickness absence
 - Secondment
 - Sabbaticals
 - Staffing from time limited funding
 - 2.3 All posts required for the reasons outlined above in paragraph 2.2 will be filled in accordance with existing recruitment and selection processes.
3. Short Term Temporary Requirement
 - 3.1 In certain limited circumstances, teachers may be offered work on a short term temporary basis, generally with little or no notice, and usually on a day to day basis. In these short term situations, teachers may be asked to provide cover for absences including the following:
 - In-Service training/staff development/working groups/focus groups

- Special leave eg bereavement, jury duty etc
- Paternity/maternity support leave
- Short term sickness absence
- Trade Union duties
- SQA duties

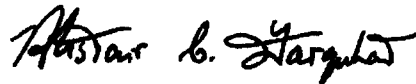
Where it becomes clear that the need for the temporary replacement is likely to be ongoing or long term, then the individual teacher should be issued with a fixed term contract as described in paragraph 2.1.

4. *Appointment to Permanent Status*

- 4.1 Movement to a vacant permanent post will be open to temporary teachers, at any time, through the normal application processes. Fully registered temporary teachers will be provided with the same access to information on vacancies for permanent posts as is provided to existing permanent postholders ie via the schools, Council Internet and advertisements.
- 4.2 Under the Fixed Term Employees Regulations 2002 any temporary contract extended beyond four years will be made permanent unless the authority can objectively justify not doing so.
5. This agreement supersedes the current paragraph 8.5 of the Scheme of Conditions of Service and extends the provision for all full and part time temporary employees.



Eileen Morrison
Teachers' Side Joint Secretary



Alistair Farquhar
Management Side Joint Secretary

21 March 2005