

LNCT

Aberdeenshire Local Negotiating Committee for Teachers



Date: November 2023

LNCT/23/03

LNCT Protocol

This agreement has been subject to review in 2023 by the LNCT Joint Secretaries and HR as part of a review of current Aberdeenshire LNCT Agreements.

LNCT Joint Secretaries

Margaret Mackay (Education & Children's Services)
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Aberdeenshire Council recognises the EIS, SSTA, Community (Previously Voice), NASUWT AHDS and SLS as the sole representatives of those employees on Teachers' Conditions of Service including teaching staff and associated professionals (including QIMs, QIOs, Educational Psychologists, and Music Instructors) employed by Aberdeenshire Council on all matters relating to conditions of service as defined under functions and other matters not subject to national bargaining as noted below.

Negotiations between Aberdeenshire Council and the aforementioned Teaching Trade Unions shall be conducted within a committee, known as the Local Negotiating Committee for Teaching Staff, hereafter known as the LNCT.

The Service should be familiar with what sits under SNCT [Scottish Negotiating Committee for Teachers \(snct.org.uk\)](http://snct.org.uk) and then be familiar with current agreed LNCT Agreements [LNCT Agreements \(snct.org.uk\)](http://snct.org.uk) that Aberdeenshire Council have.

The composition of each side of the Committee is determined by each side independently but does not exceed 6 members on each side. LNCT operates their business under four Office Bearers, 2 Management Side and 2 Union Side (Teachers Panel).

Functions

All agreements, orders, settlements, and determinations of the Scottish Negotiating Committee for Teaching Staff in School Education sits under the following:

- (a) Cover agreements
- (b) Appointment procedures
- (c) Particulars of employment
- (d) Expenses of candidates for appointment
- (e) Transfer of temporary teachers to permanent staff
- (f) Promotion procedures
- (g) Staff development arrangements
- (h) Specific duties and job remits
- (i) Arrangements for school-based consultation
- (j) Other leave and absence arrangements
- (k) Notice periods
- (l) Housing
- (m) Indemnification procedures
- (n) Other allowances
- (o) Discipline and grievance procedures

These shall be adopted as the base for negotiating under the procedures established under the Recognition and Procedure Agreement.

There are 6 LNCT meetings held over the academic year, please see table below

Month	September	November	January	March	May	June
Seeking to table paper*	Minimum 3 weeks prior to LNCT	Minimum 3 weeks prior to LNCT	Before last week of Christmas term	Minimum 3 weeks prior to LNCT	Minimum 3 weeks prior to LNCT	Minimum 3 weeks prior to LNCT
Submission of papers for LNCT approval*	2 weeks prior to LNCT	2 weeks prior to LNCT	2 weeks prior to LNCT	2 weeks prior to LNCT	2 weeks prior to LNCT	2 weeks prior to LNCT
Submission of papers for noting only	10 days prior to LNCT	10 days prior to LNCT	10 days prior to LNCT	10 days prior to LNCT	10 days prior to LNCT	10 days prior to LNCT

***Any paper that is required to get LNCT approval, the paper needs to be tabled 3 weeks in advance of the LNCT Meeting. That being the case, Officers should contact the LNCT Joint Secretary Management Side at least 5 weeks in advance to advise of their wish to submit.**

At times if there is a paper that needs to be taken to LNCT out with the above timetable cycle an LNCT OBs meeting can be called. If you feel there is extenuating circumstances this is applicable to any matters that sits under LNCT, please contact the Management Side LNCT Joint Secretary. However, LNCT in its entirety is the default process.

Any changes to procedural matters that are out with National Terms & Conditions should either host an LNCT Agreement or in some cases, at least be tabled at LNCT for noting.

The Service cannot seek to change Terms and Conditions that sits under SNCT. However, if there is intent to bring any changes, that would sit under the auspice of LNCT. In advance of taking these changes forward please seek clarity from the Management Side Joint Secretary (Margaret Mackay) as to when this would need to come to LNCT.

The LNCT Joint Secretaries role is to support the Service with operational matters, and these include:

- ensuring that LNCT Agreements are adhered to and respond to queries on same.
- provide agreement on Acting HT and Dual Headship arrangements out with the recruitment process.
- arbitrate when no agreement can be made in signing off WTA and monitor compliance with signing off protocols.
- sign off on and participate in job sizing process as part of the annual exercise and standalone applications.
- contribute to adjudication on accelerated salaries submissions.

- contribute LNCT input to employee training / inductions upon request.

In addition to undertaking negotiations on conditions of service, the LNCT will also provide a means of regular consultations and exchange of information, ideas and comments between the Council, the Trade Unions and the teaching employees that they represent on a range of agreed matters of mutual interest including operational issues, education policy and initiatives.

What should the Service/HR discuss with LNCT Joint Secretaries?

Subjects	Yes	No	Joint Sec
<p>Seeking to appoint a temporary DHT/HT, without going through recruitment protocols.</p> <p><i>The Head of Education/QIM/QIO need to seek approval via the JS Management side the rationale in taking this forward. Examples of this would be – short/long term illness and investigation protocols</i></p>	✓		Management Side
<p>Seeking guidance on moving/transferring staff (encompassed under wellbeing).</p> <p><i>If there is a long-term health issue that would be covered under the Equalities Act.</i></p>	✓		Management Side
Seeking to move/transfer teacher out with wellbeing		✓	No policy to allow
Seeking guidance on Case Management		✓	HR Matter
<p>Service initiatives that impact on LNCT Agreements</p> <p>LNCT Agreements (snct.org.uk)</p>	✓		Both collectively*
<p>Proposed amendments/reviews of current LNCT Agreement</p> <p>If the Service is seeking to review and/or amend current LNCT Agreements, they will need to contact JS Management side to set up a meeting to take forward.</p>	✓		Management Side
<p>HR Policy Reviews</p> <p>Where there is an LNCT locus HR will need to contact JS Management Side to set up a meeting to take forward.</p>	✓		Management Side
<p>Strategic School Budget Updates</p> <p>Early dialogue with Management Side JS prior to issuing to Schools to ensure any staffing implications that could have an LNCT locus are considered.</p>	✓		Management Side
Dual Head Teacher arrangements – in advance of going to Panel	✓		Management Side

LNCT-21-36 Primary Management Options.docx (live.com)			
Any matters covered under Investigations/Disciplinary/Grievance. <i>To ensure there is risk of a no conflict of interest, initial dialogue has to be with Management Side JS.</i>	✓		Management Side Only**

*The Joint Secretary that has been contacted will liaise with the other on matter(s) raised.

**First point of contact should always be Management Side JS

Examples of scenarios that would encompass dialogue with LNCT Joint Secretaries are:

Scenario	
Short Term Absence	If a member of the promoted teaching staff is going to be off work for an unplanned period of time (no more than 4 weeks, the HoE/QIM/QIO should contact the management side JS to seek joint agreement from JS on temporary arrangement to backfill. The service cannot appoint without that consent.
Long Term Absence	Like the above scenario, if the short-term absence (4 weeks or less) moves into being longer term the same principles apply. However, if it becomes clear that the absence will exceed 6+ months they should seek to go down the route of advertising and recruit to back fill. Joint Secretaries can authorise longer term arrangements out with recruitment, but this needs to be agreed in advance and JS's need to be kept informed of timescales that would bring the arrangements into a 1-year period or beyond.
Investigations/Disciplinary	At times due to circumstances that cannot host any prior planning there will be situations that require a member of the promoted teacher cohort to be removed from post. Ensuring that the backfill has been undertaken without any prejudice there may be a requirement to place a backfill delicately and swiftly. In these circumstances the first point of contact should always be the management side JS – not union side. Again, initial requirements should be promptly agreed and like the ST and LT Absence a more formal plan will need to be provided to JS for approval. Again, if the situation hosts complexities that may extend the period of time, this needs to have formal agreement by JS's.

Staffing out with Formula	<p>Moving forward as we are applying the principle on staffed to formula, there may be times where a step away from that will apply. Examples of this are:</p> <ol style="list-style-type: none"> 1. If a school inspection makes recommendations that would require additional staff out with formula. You would need to notify JS with an outline of what is being done. 2. If a school declares an excess but we are not able to identify a suitable post to be matched – the JS should be notified of this arrangement. 3. There may be bespoke arrangements that would facilitate the requirement for additionality to allow a member of staff to take on additional duties.
Workload	<p>Any intent to undertake a new initiative may have an impact on workload and collegiate agreement under the Working Time Agreement. The timing of these revised initiatives may greatly benefit the delivery of education in the long term, but there is a need to be mindful on the workload and capacity planning in the current academic year. That being the case it is important the LNCT JS are advised in advance of this being communicated out.</p>
Fixed term appointments that are likely to exceed the 23-month point	<p>Fixed term appointments should be made on the basis that they will not exceed 23 months. However, situations may arise where this period of time is required to be extended. Once an officer is aware that this is likely to happen, they need to take this to JS to have agreed.</p>
Decisions that will impact teacher numbers	<p>Dialogue around changes that would have a wider impact across the whole sector need to be brought to LNCT.</p>