

LNCT

Aberdeenshire Local Negotiating Committee for Teachers



Date: March 2024

LNCT/24/04

Title Excess Teacher Redeployment Procedure

This agreement has been subject to review in 2024 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)
Margaret.MacKay@aberdeenshire.gov.uk

David Smith (LNCT Teachers' Panel)
David.A.Smith@aberdeenshire.gov.uk
aberdeenshire@eis.org.uk



**LNCT POLICY FOR THE
REDEPLOYMENT OF
EXCESS TEACHING STAFF
[ALL LEVELS]**

2024

13th March 2024

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Introduction

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

The procedures detailed in this paper apply to all employees on Scottish Negotiating Committee for Teachers (SNCT) Conditions of Service.

This document outlines the procedures to be followed in situations where excess member[s] of Teaching staff has been identified in schools through a fall in school roll or through dualling, mothballing/closing or merging of schools.

Where surplus in staffing has arisen due to school closures, new school openings, amalgamations, management reorganisations etc the procedures for redeployment may be encompassed by the Learning Estates Strategy – Movement Towards A Sustainable Estate. Any update to due process under this may amend and apply in conjunction with this Policy. *Attached Separately*

The procedures detailed in this paper can also apply if it is necessary to transfer a surplus teacher following the outcome of the agreed appointments procedure.

The term 'teachers' will be used throughout this Procedure Manual to refer to all employees on SNCT Conditions of Service.

Principles

1. **Teachers are appointed to the service of the Authority and not to a particular school and may be subject to transfer between schools within Aberdeenshire Council at the discretion of the Authority in line with their contract of employment.**
 - 1.1. Redeployment is the transfer of members of staff to another place of employment. This procedure provides the mechanism whereby teachers are to be transferred to another school as a result of the following circumstances:
 - Fall in School Roll
 - School Mothball/Closure
 - Changes to Staffing Formula
 - Reduction in Service Provision in Schools
 - 1.2 Each educational establishment in Aberdeenshire Council is staffed in accordance with the agreed staffing entitlement for the school. Posts which are surplus to the staffing entitlement and/or the promoted post structure for an individual school will be identified during the Workforce Planning Programme for schools, which commences in the January preceding the new school session in August.
 - 1.3 There may be circumstances where a teacher may need to be transferred to another school for reasons other than those noted above. Such circumstances will be considered on a case-by-case basis.
 - 1.4 The procedures outlined apply only to an excess situation which result in a voluntary or compulsory transfer and not transfers as resulting from work performance or medical grounds.
 - 1.5 In surplus situations, every effort will be made to seek a volunteer for transfer in the first instance.
 - 1.6 Teachers in job share posts will be liable for transfer in accordance with the Policy on Job Share which states, "Where the selection process for transfer as set out in the Compulsory Transfer Procedure is applied, job share partners will be assessed individually." Part Time teachers should be treated in the same way as full time teachers, with the same selection criteria being used. [LNCT-21-20 Job Sharing Scheme for Teachers.docx \(live.com\)](#)
 - 1.7 At any stage of the transfer process, the teacher will have the opportunity to discuss the matter with the Head Teacher and/or the [QIM/O] and be accompanied by a trade union colleague if so desired.

- 1.8 Teachers will be given 4 working weeks written notice of a transfer, excluding holidays. This notice period may be adjusted subject to consultation with the Head Teacher concerned and with the agreement of the individual teacher.
- 1.9 No teacher will be subject to an unreasonable request to transfer and, in determining what is reasonable, due account must be taken of the following factors:
- i. The distance from the teacher's home to the school which it is proposed to transfer
 - ii. Travelling time
 - iii. Travel into or out of Aberdeen City and some rural routes at peak times
 - iv. Availability of public transport in relation to the normal school day and collegiate time
 - v. Personal circumstances – access to private transport, it being recognised that ownership of a vehicle is not a requirement of employment unless specifically stated in the original contract of employment.
 - vi. Request to return – if a teacher who has been compulsorily transferred from a school applies for and is appointed to a vacancy which subsequently occurs in that school, such appointment will be on a voluntary basis and the teacher will forego any remaining elements of protection arising from compulsory transfer.

Section 1

Procedure for Redeployment of all Promoted Teaching Staff

1. Background

- 1.1. The Scottish Schools (Parental Involvement) Act 2006 reinstated the ability of education authorities to redeploy Head Teachers and Depute Head Teachers (and other promoted teaching staff) which had previously been withdrawn under the School Boards legislation.
- 1.2. This Procedure provides a mechanism whereby teachers may be transferred from one educational establishment to another. Please refer to Appendix 4 for the steps in the process. It covers two types of transfer:
 - Voluntary transfer arising from a surplus situation. Where a teacher volunteers to be the teacher identified as 'surplus'.
 - Compulsory Transfer arising from a surplus situation. Where there is no volunteer identified as the 'surplus' teacher, a selection process will be undertaken to identify the 'surplus'.

2. Procedure for Redeployment (Falling School Roll)

To be factored as part of the Annual Staffing Exercise

- 2.1 Please use the appendices in this document in support of the process.
- 2.2 When the staffing formula is run with projected roll data for the academic year ahead, the QIO will identify which schools are impacted by the reduction in their staffing entitlement.
- 2.3 The QIO should confirm to their Head Teachers that the school is no longer entitled to the current complement of promoted Teachers.
- 2.4 Staff in the affected group would be canvassed for volunteers at this point. Where there is no volunteer the Head Teacher should identify the excess DHT/PT and inform him/her, following the selection criteria and procedure as detailed in Appendix 2.
- 2.5 The line manager should then meet with the excess member of staff to explain fully the options available including the procedure for redeployment. The member of staff involved would at this stage be entitled to Trade Union accompaniment.
- 2.6 During the period of redeployment, the excess member of staff may wish to consider early retiral options. Full details of early retiral options can be found under Aberdeenshire Council's [Retirement Procedure](#). This would only be granted subject to no additional cost to the Authority.

- 2.7 At the meeting the excess member of staff will be made aware of the two redeployment options available, as described below:

12 months on redeployment

If after 12 months on the redeployment list, or after two unreasonable refusals to accept an equivalent or better post, a transfer to an appropriate permanent post at an equivalent or better level in a school has not been arranged, the excess member of staff will be offered a transfer to an unpromoted teaching post. Entitlement to salary conservation will be as defined in [Part 2 Section 1 - SNCT Handbook](#). It should be noted that a redundancy/pension benefits financial package will not be offered as an alternative to redeployment to an unpromoted teaching post. If the member of staff chooses to refuse the offer of an unpromoted post, then this would be viewed as a resignation from the Council.

12 weeks on redeployment

If after 12 weeks on the redeployment list, a transfer to an appropriate permanent post at an equivalent level in a school has not been arranged, the excess member of staff will be given a redundancy payment and where applicable, pension benefits as detailed under Aberdeenshire Council's redundancy procedure. It should be noted that the refusal of a reasonable offer of redeployment will be viewed as a resignation from the Council.

- 2.8 As per Appendix 1 can you please follow the process map in conjunction with the points outlined under Appendix 2, points 1-4
- 2.9 As per Appendix 1 please follow in conjunction with Appendix 2 Point 5 and the steps within each stage.

3. Scope for Redeployment

- 3.1 Following the meeting a communication will be issued by the Line Manager asking the excess member of staff to confirm in writing their preferred redeployment option. A response will be required in 10 working days. This confirmation will be legally binding and there will be no change to the alternative option.
- 3.2 The excess member of staff will be offered the first suitable vacant promoted post at an equivalent level to their current post, in a school within reasonable travelling distance and time from their home. An equivalent level of post is defined as two job sized grades up or down from their current job sized point.
- 3.3 A list of all excess promoted post holders due for redeployment will be maintained by the authority.
- 3.4 Once a suitable post is identified the Line Manager should discuss the proposed redeployment with the receiving Head Teacher, prior to contacting the excess member of staff.
- 3.5 The Line Manager will then meet with the excess member of staff to inform him/her of the proposed school and post for redeployment.
- 3.6 **FOR HEAD TEACHERS ONLY** – where the redeployment involves a HT the QIO should arrange to discuss this with the Parent Council of the receiving school and Elected members.
- 3.7 **FOR DEPUTY HEAD TEACHERS ONLY** - where the redeployment involves a DHT the receiving Head Teacher should arrange to discuss this with the Parent Council of the receiving school.
- 3.8 The HT/DHT subject to redeployment should be invited to attend an informal meeting with the Chair of the Parent Council (or Parent Council representative), and the Head Teacher of the receiving school/QIO as appropriate.
- 3.9 If the post is identified to be of interest to more than one member of staff who is eligible for redeployment, there would be the requirement for a formal interview process to take place between those involved to determine which candidate is to be redeployed.

3. Scope for Redeployment continued

- 3.10 If the post proposed for redeployment has a higher job sized salary, the member of staff to be redeployed will be paid the higher salary from the date of taking up the new post.
- 3.11 If the post offered for redeployment has a lower job sized salary, the member of staff to be redeployed will receive cash conservation for three years. At the end of the three year period the cash conservation will end, and the post holder will then receive the job-sized salary for the post he/she now holds.
- 3.12 For staff opting for 12 months on redeployment there shall be no entitlement to conservation of salary where a teacher refuses unreasonably, on two occasions, to accept an alternative, or equivalent or better post.
- 3.13 The excess member of staff should be offered the opportunity to visit the school which he/she is to be redeployed.
- 3.14 The appointment to the redeployed post should be confirmed in writing and an amended contract of employment issued.
- 3.15 During the period on the redeployment list the Authority may redeploy an excess member of staff to appropriate temporary post[s] at an equivalent level in another school[s] within reasonable travelling distance and time from their home.
- 3.16 Staff in promoted posts who are redeployed, either on a temporary or permanent basis will be eligible to claim travel expenses in accordance with the authority policy. [LNCT-21-01 Business Mileage Provision.docx \(live.com\)](#)
- 3.17 For staff being redeployed the period of notice prior to commencing in their new post will be four weeks from the date of issue of the letter confirming their appointment to the redeployed post.
- 3.18 **If necessary, the Head of Education or nominated Head of Service has the final decision on the post to which any teacher is being redeployed to.**

Section 2

Procedure for Redeployment of all Non-Promoted Teaching Staff

1 BACKGROUND

- 1.1 The authority reserves the right to redeploy unpromoted teachers where excess staffing exists within an establishment or network.
- 1.2 Officers in ECS and HR will work together to identify vacancies for unpromoted teachers where excess staffing exists within an establishment. A continuously updated list of excess teaching staff is kept centrally. This list includes the excess FTE and the name of the school. The list is updated by the Resourcing Officer and by QI colleagues.
- 1.3 This Procedure provides a mechanism whereby teachers may be transferred from one educational establishment to another.” It covers two types of transfer:
 - Voluntary transfer arising from a surplus situation. Where a teacher volunteers to be the teacher identified as ‘surplus’.
 - Compulsory Transfer arising from a surplus situation. Where there is no volunteer identified as the ‘surplus’ teacher, a selection process will be undertaken to identify the ‘surplus’.
- 1.4 There is a Process Map from Appendix 5 to support in the undertaking the exercise.

2 Procedure for Redeployment (Falling School Roll)

2a To be factored as part of the Annual Staffing Exercise

- 2.1 Please use the appendices in this document in support of the process.
- 2.2 When the staffing formula is run with projected roll data for the academic year ahead, the QIO will identify which schools are impacted by the reduction in their staffing entitlement.
- 2.3 The QIO should confirm to their Head Teachers that the school is no longer entitled to the current complement of Teachers.
- 2.4 Teachers in the affected schools would be canvassed for volunteers at this point. Where there is no volunteer the Head Teacher should follow the selection procedure as detailed in appendix 3.
- 2.5 The Head Teacher should then meet with the excess member of staff to explain fully the options available; this can also include exploring retirement or voluntary severance. The member of staff involved would at this stage be entitled to Trade Union accompaniment.
- 2.6 The identified excess member of staff may wish to consider early retiral or VS options. Full details of early retiral options can be found under Aberdeenshire Council’s [Retirement Procedure](#). This would only be granted subject to no additional cost to the Authority.

2a Procedure for Redeployment (Falling School Roll) continued

- 2.7 Following the meeting a communication will be issued by the Line Manager asking the excess member of staff to confirm in writing the preferred redeployment option. A response will be required in 10 working days. This confirmation will be legally binding and there will be no option to change to the alternative option.
- 2.8 We will make every attempt to ensure that a teacher who has been redeployed in the past 3 years will be immune from further compulsory transfer for the same reason other than where there is no other viable option.

2b Standalone Schools Only

- 3.1 There will be occasions due to further falling school roll when an individual school will need to reconfigure their classes and declare a teacher excess. In those cases, the QIO and the HT should follow steps noted under Section 2 from 2.1 to 2.8
- 3.2 Exercises under this would be undertaken in advance of the end of Term 2 and implemented by start of Term 3.

3 Scope for Redeployment

- 3.1 Following the meeting a communication will be issued by the Line Manager asking the excess member of staff to confirm in writing their preferred redeployment option. A response will be required in 10 working days. This confirmation will be legally binding and there will be no change to the alternative option.
- 3.2 The excess member of staff will be offered the first suitable vacant post in a school within reasonable travelling distance and time from their home.
- 3.3 A list of all excess un-promoted post holders due for redeployment will be maintained by the authority.
- 3.4 Once a suitable post is identified the Line Manager should discuss the proposed redeployment with the receiving Head Teacher, prior to contacting the excess member of staff.
- 3.5 The Line Manager will then meet with the excess member of staff to inform him/her of the proposed school and post for redeployment.
- 3.6 If the post is identified that it should be considered to more than one member of staff who is eligible for redeployment, there would be the requirement for a formal interview process to take place between those involved to determine which candidate is to be redeployed to the post.
- 3.7 The excess member of staff should be offered the opportunity to visit the school which he/she is to be redeployed.
- 3.8 The appointment to the redeployed post should be confirmed in writing and an amended contract of employment issued.
- 3.9 During the period on the redeployment list the Authority may redeploy an excess member of staff to appropriate temporary post[s] at an equivalent level in another school[s] within reasonable travelling distance and time from their home.
- 3.10 Staff in non-promoted posts who are redeployed, either on a temporary or permanent basis will be eligible to claim travel expenses in accordance with the authority policy. [LNCT-21-01 Business Mileage Provision.docx \(live.com\)](#)
- 3.11 For staff being redeployed the period of notice prior to commencing in their new post will be four weeks from the date of issue of the letter confirming their appointment to the redeployed post.
- 3.12 **If necessary, the Head of Education or nominated Head of Service has the final decision on the post to which any teacher is being redeployed to.**

Section 3

1 EXCESS TRANSFER PROCEDURE UNDER SERVICE PROVISION REVIEWS

As and when a service review has been agreed and undertaken, any surplus in staffing has arisen due to school closures, new school openings, amalgamations, management reorganisations etc the procedures for redeployment may be encompassed by the Learning Estates Strategy – “Movement Towards A Sustainable Estate”. Any update to due process under this may amend and apply in conjunction with this Policy

Prior to commencement of any change, the service needs to ensure they have scoped out the terms of reference of what will be encapsulated in the consultation process. Please refer to Appendix 1.

1. CHANGES TO STAFFING FORMULA

1.1 There will be occasions that a revision of the school staffing formula will be undertaken, this in turn will lead to a revised entitlement to both promoted and un-promoted teachers within some schools. The process outlined in Appendix 4 & 5 will be applied when this happens.

2. REDUCTION IN SERVICE PROVISION

2.1 The service may at times need to revise and rationalise the service provisions to ensure we can service deliver in line with our agreed budget. This in turn may reduce the FTE in both Promoted and Non-Promoted Teacher requirements. The process outlined in Appendix 4 & 5 will be applied when this happens.

3. SCHOOLS IDENTIFIED FOR MOTHBALLING

3.1 In the event of a school being mothballed or subsequently closed the QIO should meet with the Head Teacher, and other promoted and un-promoted Teachers, to explain fully the options available and the procedure for redeployment. Thereafter, the procedure to be followed will be that described in the paper attached below and supported by appendix 6.:

4. SCHOOLS BEING DUALLED

4.1 In the event that a school has been taken forward to operate as a Dual HT School, any teaching staff within either or both schools identified as being excess will be redeployed. The process outlined in Appendix 4 & 5 will be applied when this happens.

Appendices

Consultation Process for Redeployment

1. The Council recognises the importance and value of timeous and effective consultation arrangements.
2. The benefits of this are:
 - Meeting our legal obligations.
 - Providing meaningful employee engagement when there are changes that may affect their terms and conditions.
 - Enhancing 2-way communication and ensuring employees receive appropriate information and feel listened to.
 - Ensuring a consistent, effective, and efficient approach to making change.

3. When should there be consultation?

When considering changes within the delivery of the service we need to factor what impact this will have on employee's terms and conditions, employees that may be affected must be consulted on the proposed change.

4. Formal Consultation is required where there are proposals to implement a change to employee contractual arrangements.

What should Consultation look like?

1. Clearly define the scope of the change
2. Discuss with HR the specifications of the change you are seeking to implement.
3. Advise Trade Unions of the proposed change.
4. Advise the staff that will be affected by the proposed change.
5. Consider feedback
6. Communicate outcome.
7. Administer the change.

Appendix 2

Selection for redeployment for all Promoted Teachers

Where an excess in promoted posts within a school exists, the following steps should be used as a guidance to ensure fair selection for redeployment. An HR Advisor should be consulted to provide advice on fair selection and process.

1. Review any fixed term arrangements that are in place firstly or vacancies that are anticipated.
2. All potential postholders should be canvassed to see if anyone would wish to volunteer.
3. Options such as requests for reduced hours, phased retirement or voluntary severance could be considered if this would achieve the reduction required.
4. All post holders should be allowed the opportunity to provide feedback on any other suggestions that they may have to achieve the reduction required.
5. If all voluntary options are exhausted, then the following steps should be followed as a guide:
 - a) A panel should be set up of at least 3 members one at HT level, a QIM/O, and one of which should include an HR representative.
 - b) Agree a set of measurable interview questions which should be based on the level of post that the pool of employees includes.
 - c) Panel should agree a scoring system for the question and the exercise[s] based on best practice, what the post holder should answer based on demonstrating their skills and experience.
 - d) On day of selection all post holders should be provided with the questions or exercise around 15 minutes prior to meeting with the panel in order to prepare and take any notes.
 - e) Panel will convene and score each area answered – this should be retained and available for each post holder.
 - f) Panel reviews scores for each post holder and identify post to be redeployed.
 - g) Feedback and scores should be provided to each postholder.

Appendix 3

1. Selection for redeployment for non Promoted Teachers

Where an excess in non-promoted posts within a school exists, the following steps should be used as a guidance to ensure fair selection for redeployment. An HR Advisor should be consulted to provide advice on fair selection and process.

1. Review any fixed term arrangements that are in place firstly or vacancies that are anticipated.
2. All potential postholders should be canvassed to see if anyone would wish to volunteer.
3. Options such as requests for reduced hours, phased retirement or voluntary severance could be considered if this would achieve the reduction required.
4. All post holders should be allowed the opportunity to provide feedback on any other suggestions that they may have to achieve the reduction required.
5. QIM/O to liaise with HT[s] of School[s] to determine who is identified as the Teacher who is excess [please use Desktop Exercise Table below to support identifying excess teacher.

2. Desktop Exercise Tables

Length of Service

Score Definition	Score
5 or more years of service	15
4 years of service	12
3 years of service	9
2 years of service	6
1 year of service	3
Less than 1 year of service	0

Disciplinaries

Score Definition	Score
No current disciplinary warnings	15
First level oral warning	10
First level written warning	5
Final warning issued	0

Appendix 3

3. Further Supporting Information

Whilst it is the last person into the continuous service of the authority who should be declared excess, there may be occasions where other things need to be factored.

If the FTE that has been identified as excess does not directly match that of the FTE composition in a school, the following example may assist in the process:

For example, a Primary School has 5 teachers, and the excess is 1FTE and no teacher is seeking to voluntary transfer. Teacher A has been in service for the shortest period of time but only works 0.4FTE and the longest serving teacher is 0.6FTE and all other Teachers are also part-time but their FTE does not add up to give a clear 1FTE. Firstly, you cannot aggregate the identified excess with both of the 0.4FTE/0.6FTE, you will have to do the following:

- Declare just the 0.4FTE [with agreement by Head of Education]
- Review the 0.6FTE shortfall and match as closely as possible to the remaining Teacher complement, [If the other teacher who is the second in length of service is over the 0.6FTE, you may wish to consider her and then only back-fill the short-fall that creates.
- Likewise, you cannot disaggregate the teachers FTE to match the identified excess.

The timing when declaring an excess will be considered in conjunction with Secondary Schools timetables are agreed and for Primary Schools when classes are configured.

The travel to work mileage should be up to 30 miles, however as we are a rural local authority, we should be taken into account terrain and journey times.

Staff who are absent through illness, on secondment, maternity/paternity leave or on career break must be kept informed of evolving staffing situations and are not exempt from the process.

If more than one teacher notes an interest in volunteering, it will be offered to the teacher with the longest continuous service with the authority.

In the event of a 'tie' because two or more teachers entered service with the authority on the same date, then account should be taken of continuous Grampian or Aberdeenshire teaching service. If it still remains a tie, a selection process to identify the excess Teacher to compulsorily transfer will be undertaken.

Vacancies that the excess Teacher[s] will be considered for may not match like for like to their current role. Every effort will be made to match Teachers to permanent posts; however, they may be transferred to a fixed term post, this will not contradict their permanent status. A teacher declared as excess cannot refuse the offer of a transfer to a reasonable alternative post in the hope that a post more favourable to them might become vacant.

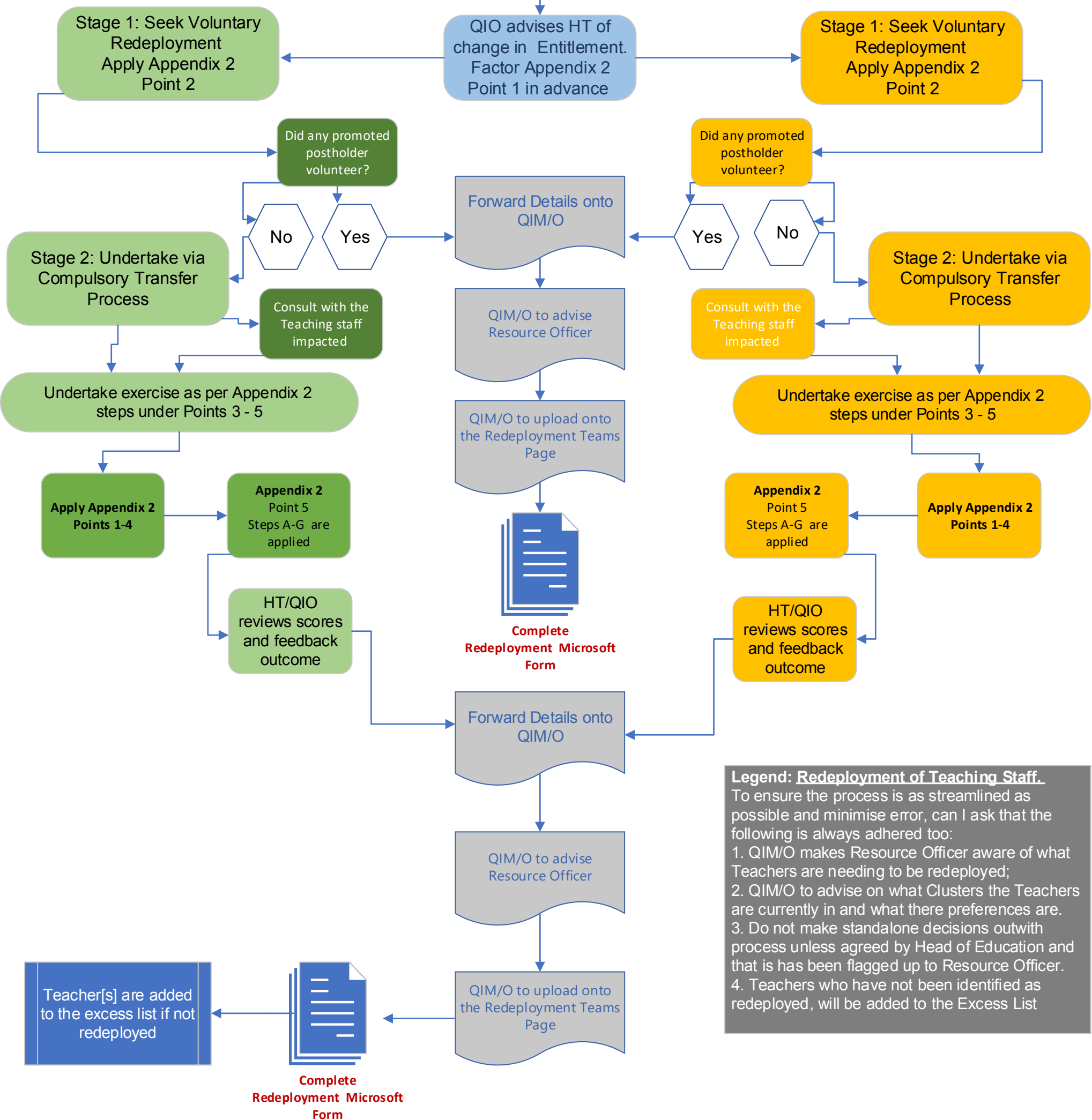
In the situation where there are no vacancies at all, the teacher will remain on an excess list and receive full pay.

Excess Teacher Redeployment Process - Promoted Teachers Only

Please refer to the LNCT agreed Excess Teacher Policy in conjunction with this Process Map

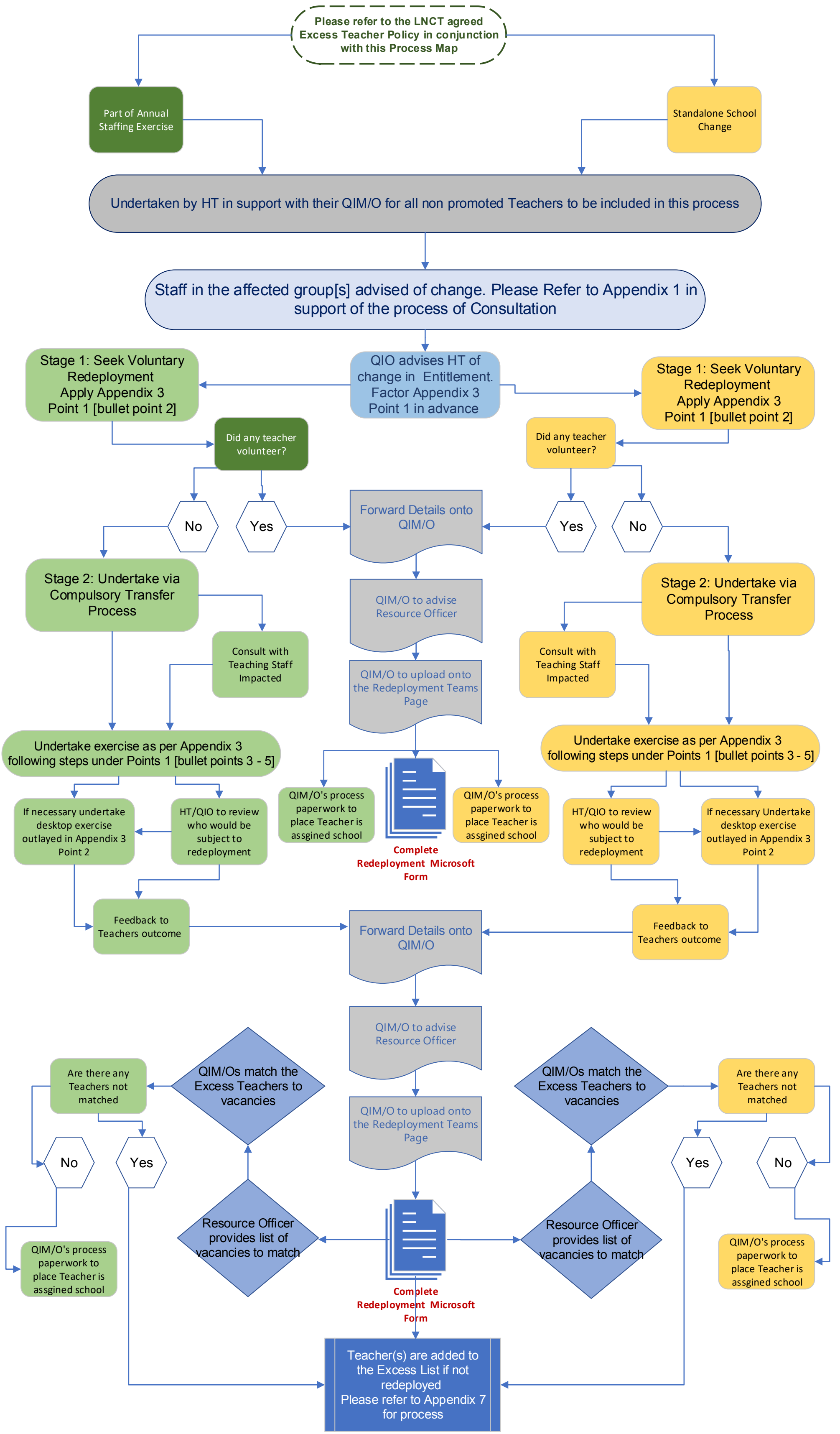


Staff in the affected group[s] advised of change. Please Refer to Appendix 1 in support of the process of Consultation



Legend: Redeployment of Teaching Staff.
 To ensure the process is as streamlined as possible and minimise error, can I ask that the following is always adhered to:
 1. QIM/O makes Resource Officer aware of what Teachers are needing to be redeployed;
 2. QIM/O to advise on what Clusters the Teachers are currently in and what there preferences are.
 3. Do not make standalone decisions outwith process unless agreed by Head of Education and that is has been flagged up to Resource Officer.
 4. Teachers who have not been identified as redeployed, will be added to the Excess List

Excess Teacher Redeployment Process - Non Promoted Teachers Only



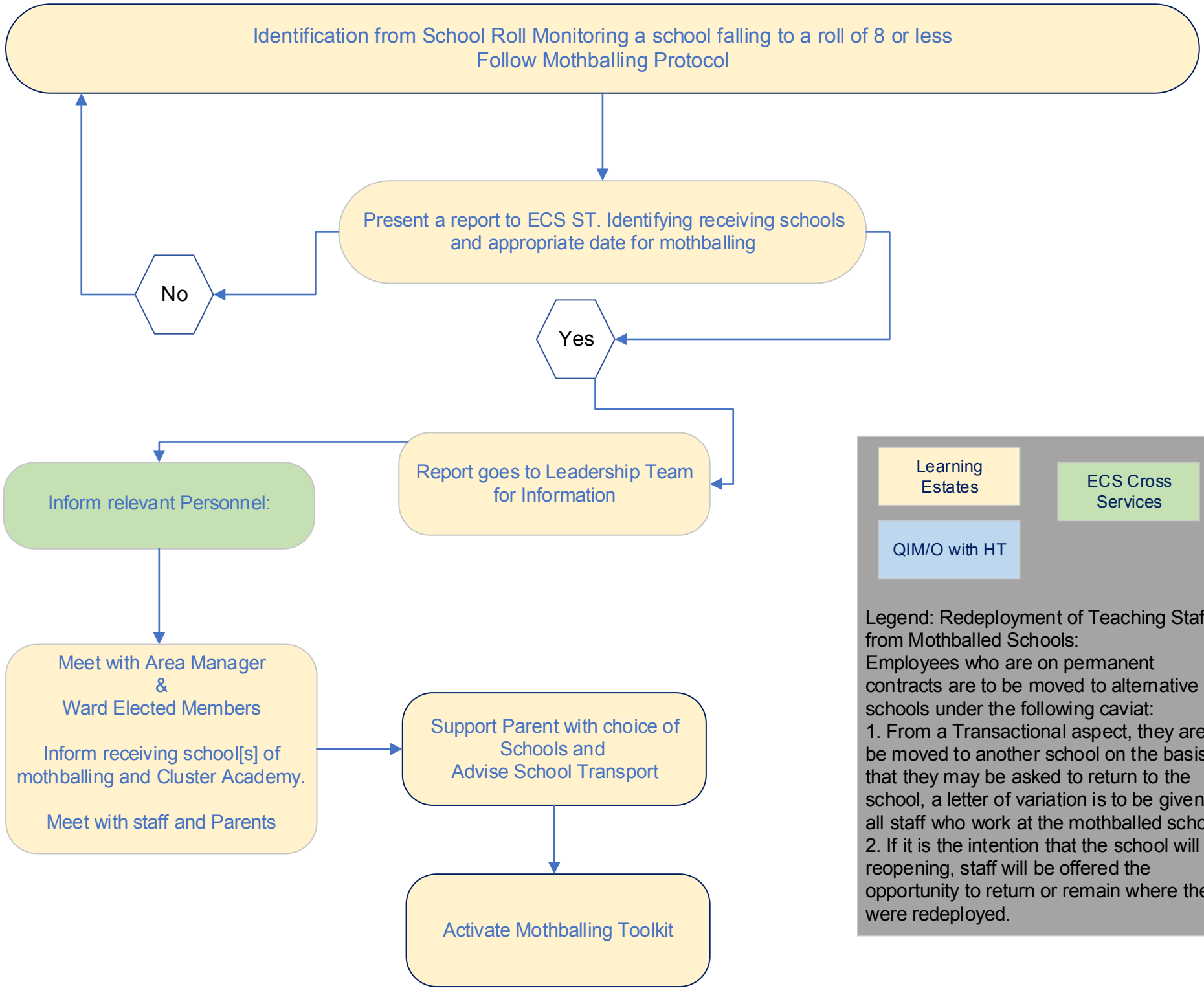
Legend: Redeployment of Teaching Staff.
 To ensure the process is as streamlined as possible and minimise error, can I ask that the following is always adhered too:

1. QIM/O makes Resource Officer aware of what Teachers are needing to be redeployed;
2. QIM/O to advise on what Clusters the Teachers are currently in and what there preferences are.
3. Do not make standalone decisions outwith process unless agreed by Head of Education and that is has been flagged up to Resource Officer.
4. Teachers who have not been identified as redeployed, will be added to the Excess List and follow Appendix 7 for that stage in the process.

Mothballing of Schools and subsequent process for redeployment of staff

Please refer to the attached Committee Paper in support of this process

ECS Staffing Report
January 2023 V003.c

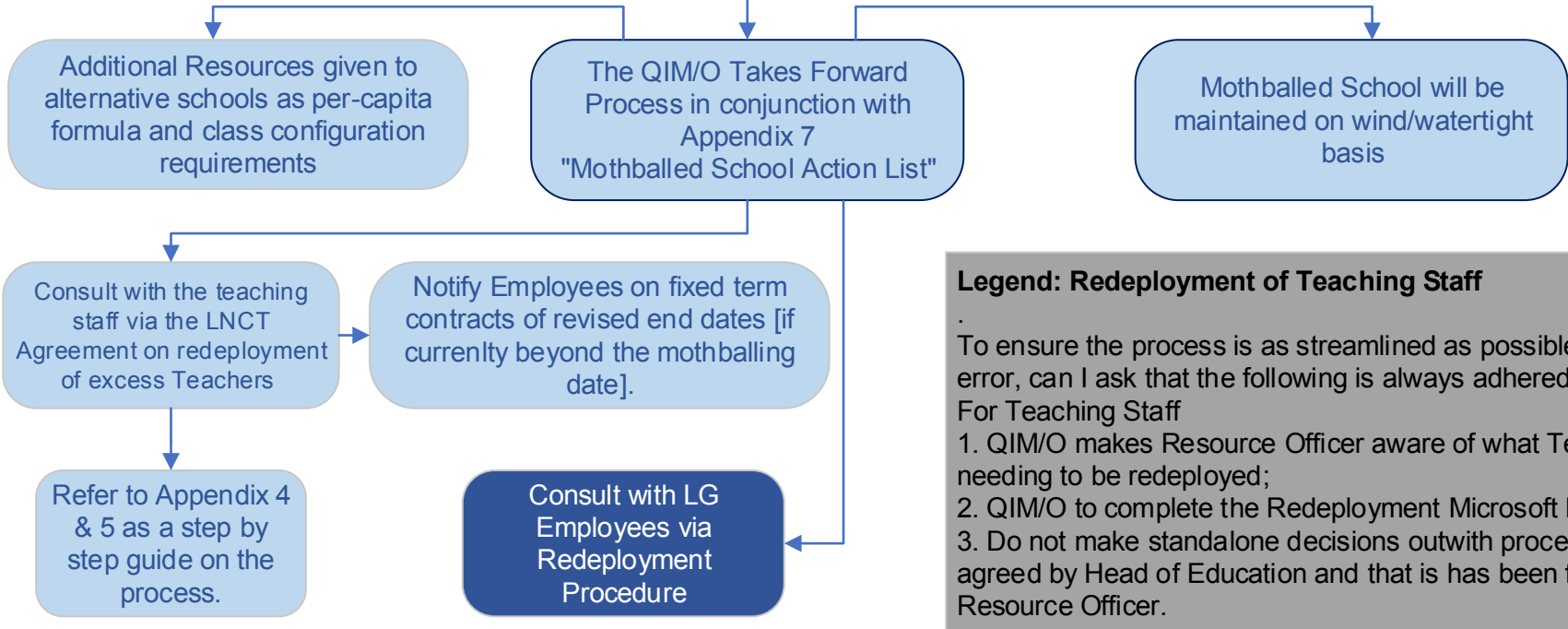


Learning Estates	ECS Cross Services
QIM/O with HT	

Legend: Redeployment of Teaching Staff from Mothballed Schools:
 Employees who are on permanent contracts are to be moved to alternative schools under the following caveat:
 1. From a Transactional aspect, they are to be moved to another school on the basis that they may be asked to return to the school, a letter of variation is to be given to all staff who work at the mothballed school.
 2. If it is the intention that the school will be reopening, staff will be offered the opportunity to return or remain where they were redeployed.

At this point Learning Estates have concluded their work and the next phase will be undertaken by the relevant QIM/O in conjunction with the Resource Officer as outlaid in the legend below.

Please refer to the LNCT agreed Excess Teacher Policy in conjunction with this Process Map



Legend: Redeployment of Teaching Staff

To ensure the process is as streamlined as possible and minimise error, can I ask that the following is always adhered to:
 For Teaching Staff
 1. QIM/O makes Resource Officer aware of what Teachers are needing to be redeployed;
 2. QIM/O to complete the Redeployment Microsoft Form
 3. Do not make standalone decisions outwith process unless agreed by Head of Education and that is has been flagged up to Resource Officer.

REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE – 07 OCTOBER 2021

CRITERIA AND PARAMETERS FOR MOTHBALLING A SCHOOL

1 Reason for Report / Summary

- 1.1 This report seeks to propose set criteria for the mothballing of a school and sets out the parameters to be considered if a school is mothballed.

2 Recommendations

The Committee is recommended to:

- 2.1 Agree with the proposal in paragraph 3.4 that when a primary school has eight or fewer pupils, then the Director of Education and Children's Services should consider mothballing; and**
- 2.2 *Agree the criteria involved in the process of mothballing a school as detailed in paragraphs 4.2 – 4.7***

3 Purpose and Decision Making Route

- 3.1 The term mothballing is used, according to the Scottish Government guidance, to refer to a temporary decision to close a school where the roll has fallen to zero. Mothballing, rather than closing a school gives the opportunity for it to re-open should circumstances change. There is no legal process for mothballing.
- 3.2 Since 2017, there have been 16 schools mothballed across Scotland. When changing the status of a school to mothballed, the process involves taking into account the current roll and the forecasted roll for future years.
- 3.3 For the session 2021-22, there are four primary schools which have the status of mothballed. These schools are Longhaven, Gartly, Easterfield and Fisherford.
- 3.4 It is proposed that where a primary school roll has eight or fewer pupils then the Director of Education and Children's Services should consider this for mothballing, subject to an assessment of the school roll forecast that does not indicate that there will be sufficient in zone pupils to increase the roll above eight pupils in the next two years.

4 Discussion

- 4.1 The Scottish Government has issued statutory Guidance under the Schools (Consultation) (Scotland) Act 2010, which deals with the issue of mothballing:

- i. Paragraph 63 - In considering alternatives to closure, authorities may choose to consider mothballing a school (or a stage of education or a nursery class at a school). This is a temporary closure which does not lead to a consultation under the 2010 Act. It is only appropriate in very restricted circumstances. When a school roll falls very low, the authority and/or community may consider that the school is not presently viable but do not wish to close it immediately because there is a reasonable prospect that the number of pupils in the area will increase such that it should be re-opened in the future.
- ii. Paragraph 64 - It is vital that this flexibility to close a school for a temporary period is not used to undermine the requirements under the 2010 Act to consult on all school closure proposals. Mothballing is only appropriate for a temporary period and should be subject to regular review, at least annually, against the same requirements which led to the original decision to mothball the school (or stage of education). The maximum length of its duration is likely to depend on the location of the school and the desirability of maintaining capacity to re-open a school there, but it is unlikely that it should exceed 3 years in areas that are not very remote. The condition of the school building and cost of maintaining the mothballed provision will also be relevant.
- iii. Paragraph 65 - A school can be mothballed where the school roll has fallen to zero and continues to be zero. It may also be appropriate where the roll or potential roll is very low and the authority considers the only other option to be closure. However, in circumstances where a school is mothballed rather than closed and some children and young people remain in the catchment area, this decision should be taken in consultation with the parents involved, and the possibility should be raised as early as possible, in order to ensure that families can understand the options open to them. Mothballing should not be a way of denying parents' access to the statutory consultation process required under the 2010 Act and if the majority of parents oppose mothballing, it would be appropriate to move to statutory consultation on closure as soon as possible.

Proposed Criteria and Parameters for Considering Mothballing of Primary Schools

- 4.2 When a primary school roll falls to eight or fewer pupils and an analysis of the school roll forecast does not indicate that there will be sufficient in zone pupils to increase the roll above eight pupils in future years, the Director of Education and Children's Services will arrange to:
 - i. Inform the chair of Education & Children's Services, ward members, Area Manager

- ii. discuss the position with those staff who work in the primary school
 - iii. Consult with affected parents, parent councils (if established) and other families who reside within the defined primary school catchment area, to discuss the position with them; Note: That a statutory consultation is not required as “mothballing” is deemed to be a temporary closure of a school
 - iv. identify an alternative schools which will subsume the mothballed school’s catchment area on a temporary basis
 - v. support those parents who may wish to move their children to the alternative catchment school earlier than the start of the mothballing period giving regard to transport entitlement.
 - vi. prepare a report for the Leadership Team on the outcome of the consultation exercise and make recommendations to the Leadership Team and then prepare a briefing to the Education and Children’s Services Committee
- 4.3 Mothballed schools will then become part of an option appraisal for the future of the school, which will be concluded within a two-year mothballed period.
- 4.4 Mothballed schools will be maintained on a “wind and watertight” basis pending their future outcome.
- 4.6 Additional resources will be given to the alternative schools in line with the schools’ per-capita formula and normal class configuration assessments.
- 4.7 Any staff deemed to be surplus, following any school being mothballed, will be offered re-deployment elsewhere within the Service. No job losses would arise from this proposal.

Ensuring Educational Benefits

- 4.8 While it may seem that having fewer pupils in a class would allow a teacher to provide more one-on-one attention, fewer is not always better, when it comes to our pupils’ learning experiences. Classes low in pupil numbers, have disadvantages. These disadvantages are further compounded when we have a single class school, potentially with only one or two children at each year stage. Some of the problems commonly associated with teaching a small group of pupils are:
- i. Attendance Issues - while one or two pupils missing in a large class isn't a major issue, a small number of absent pupils can make a big difference in a small class. If there are only five or eight pupils in a class, two missing

pupils represent a much larger percentage of the class population, making it more difficult for the teacher to continue with planned lessons.

- ii. This will also significantly impact on the class dynamics and learning experiences of children in the single class setting, with the likely consequence that a child may be the only pupil at a particular stage. Thereby having no other pupil to share their learning experience with and benefit from those interactions.
- iii. Lack of Diversity - A smaller class is less likely to represent a diverse cross section of society. Pupils benefit from being members of diverse classes because they have the opportunity to hear viewpoints that differ greatly from their own. While some small classes do have a diverse array of members, many are relatively homogeneous in nature and, as such, do not offer pupils the opportunity to learn in a diverse setting.
- iv. Fewer Activity Options - Some academic activities require a minimum number of participants. Activities such as small group projects, group discussions or peer to peer learning activities are much harder to implement in a small class because there are fewer pupils to divide into groups, limiting pupils' options. Other options, such as large-scale games, may be impossible in single small settings because there are not enough pupils to allow for game play, or due to the wide variation in the age and physical development of the pupils, potentially making an activity unsafe.
- v. Increased Pupil Anxiety - Some pupils enjoy the anonymity associated with being a member of a large class. These pupils are uncomfortable in the spotlight and prefer to blend in with the crowd as they move through the process of learning. For pupils of this nature, small classes are far from desirable because in educational settings with reduced pupil numbers they do not have the same opportunity to mix in with their peer group.

4.9 It is important that Education and Children's Services adopt a best value rationale that considers the efficiency and effectiveness of schools which have low rolls and small numbers of catchment area pupils.

5 Council Priorities, Implications and Risk

5.1 *Specify which of the Council's Priorities are relevant to the report.*

Pillar	Priority
Our People	Education Health & Wellbeing
Our Environment	Infrastructure Resilient Communities
Our Economy	Economy & Enterprise Estate Modernisation

This report helps deliver the Strategic Priority “Education” and “Health and Wellbeing” within the pillar “Our People”, and the “Economy and Enterprise” within the “Our Economy” pillar, securing continuous improvement in outcomes for all children and young people and ensuring better, integrated working arrangements in pursuit of improved outcomes for children and young people.

This report helps deliver the Strategic Priority “Estate Modernisation” within the Pillar “Our Economy”, having responsible finances and having an estate that is sustainable, efficient and fit for purpose.

5.2 This report helps deliver against: Scotland’s Learning Estate Strategy Connecting People, Places and Learning and Aberdeenshire Council’s Learning Estates and Accessibility Strategies.

5.3 The table below shows whether risks and implications apply if the recommendation(s) is (are) agreed.

Subject	Yes	No	N/A
Financial			x
Staffing			x
Equalities and Fairer Duty Scotland			x
Children and Young People’s Rights and Wellbeing			x
Health and Wellbeing			x
Town Centre First			x

5.4 There are no risks or implications at this stage as this report is a proposal document. Any risks or implications in future reports brought forward as a result of this proposal will be fully explored.

5.5 An integrated impact assessment is not required at this stage. The recommendations in this report do not have a differential impact on any of the protected characteristics.

5.6 The following Risks have been identified as relevant to this matter on a Corporate Level: ACORP007 Social risk (demographic change) [Corporate Risk Register](#).

5.7 The following Risks have been identified as relevant to this matter on a Strategic Level:

- ECSR002 To secure continuous improvement in outcomes for children and young people [Directorate Risk Register](#). The Council needs to be assured that the estate will deliver an inclusive and positive environment for learning, working and engagement.
- The strategic risk ECSR003 to have improved business support and resource management arrangements in place across ECS has also been identified. The Council needs to be assured the estate matches demand.

6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee is able to consider this item in terms of Section E.1.1.b Education of the List of Committee Powers in Part 2A of the Scheme of Governance as subject to the General Provisions, the Committee shall have full powers to decide on all policy issues and resource matters (within agreed budgets) relating to these functions which have not been reserved to the Full Council or specifically delegated to any other Committee of the Council.

Laurence Findlay
Director of Education & Children's Services

Report prepared by Maxine Booth, Quality Improvement Manager, Learning Estates
Date 23 September 2021

The below checklist does not get actioned until Parents and Staff have been informed of Mothballing

When	Action List	Who
Confirmation of Mothballing	Notification to Operational distribution list of date of Mothballing expected. Create inventory of resources. E.g. perishable resources, consumables, furniture, education materials. Note: Fixed Smart board, projectors and furniture should be counted on inventory but not removed unless required by receiving school Provide inventory to Steve Shinnie of IT assets (laptops / ipads) and where they have moved to. (must follow pupils). Fixed screens and projection equipment to be included. Discussions with Property to secure the school building and review utilities. Discussions with ECS Contracts Team to identify contracts which would need to be reviewed and potentially paused e.g. window cleaning, P.E. equipment & technical equipment inspections, water at work and sanitary bins, security. (ECS Contracts) Discussion with the LETs team around any bookings of the school being mothballed.	Learning Estates Team. School Head Teacher / Admin School Head Teacher / Admin Cluster Support and Development Team Manager Cluster Support and Development Team Manager QIM - Learning Estates Cluster Support and Development Team Manager
By end of term and start of next session.	Discussions with Procurement Team to identify contracts which would need to be reviewed and potentially paused e.g. window cleaning, P.E. equipment & technical equipment inspections, water at work and sanitary bins, security. (Council Wide Contracts) Discussions with Landscape services regarding continuation of grounds maintenance Discussion with IT to secure IT equipment, switch off wi-fi, emails redirection Continued discussion with HR and Unions on redeployment of staff. Discussion with Finance. Do not dispose of finance code until asset disposal is complete. Discussion with Graeme Flood (Auditor) re school fund, emptying the school safe and arranging any new signatories to accounts. Continued discussion with parents and School Transport re pupil destinations School to ensure that personal items including all food from staff room are removed from the building. School to make sure furniture and equipment inventory is up to date School staff to box up consumable resources Boxed up perishable resources and consumables and redistributed to receiving schools: e.g. books, jotters, pens, stationery, cleaning and janitorial supplies. Destination marked on inventory. Update Aberdeenshire Council website Display Info re contact details on school entrance/window of emergency building issues contact & Education specific queries. Mail redirection (local discussion as to the most appropriate location to be determined at time of mothballing) Phone redirection to main Education number (03456 08 12 02) Update School website Admin / School to inform Cluster Business Manager of any external defibrillator and any requirement to have these re-located if not accessible. CBM to raise request with Property Inform xerox that printer contract no longer required during mothballed status Catering Staff to create inventory of kitchen equipment and assess requirements. All consumables to be removed but fixed equipment within Kitchen should remain. Historical artifacts to be boxed and held in a safe council location. e.g. Cluster Academy Ensure outdoor equipment is secured. E.g. picnic benches, eco flags, plant pots Final advice given to ECS Contracts Team & Procurement regarding details around the contracts needing to be reviewed and/or potentially paused e.g. window cleaning, P.E. equipment & technical equipment inspections (equipment on site), water at work (number of fountains/bubblers & locations) and sanitary bins (number and locations), security.	Cluster Support and Development Team Manager Cluster Support and Development Team & Learning Estates Team Quality Improvement Officer Learning Estates Team / Cluster Support & Development Team Manager Head Teacher to arrange for new signatories. Learning Estates Team School staff Head Teacher and School Admin Team School staff Co-ordinated by Cluster Business Manager Fiona Jackson Cluster Support and Development Team Cluster Support and Development Team Cluster Support and Development Team School Head Teacher / Admin Co-ordinated by Cluster Business Manager Cluster Business Manager Catering Services School Staff/ Cluster Business Manager Facilities Operations Coordinator Janitor/Cluster Business Manager/ ECS Contracts Team
By End of First Term of mothballing	Discussion with Alec McVean on the re-use of IT infrastructure within other schools including decommissioning.	Learning Estates Team / Cluster Business Manager Cluster Support and Development Team Manager
During Mothballing	Grounds maintenance of mothballed school to continue - discussion with Landscape Services required as to the extent of works to be undertaken. Furniture equipment required by other Schools may be sourced from mothballed schools following approval by Learning Estates and notification to Cluster Business Manager to update inventory of relocated items. Weekly inspections of utilities, security and systems should continue and any issues logged with FES / Property as appropriate Fortnightly recording of meter reading and submit to Energy Team Fire alarm tests to continue weekly; legionella testing to continue unless building drained down Where there is a requirement for community access to external facilities, these should be assessed to ensure there is no impact on the mothballed school. E.g. defibrillator is in an accessible place, playparks have a safe route to them.	Learning Estates Team Facilities Operations Coordinator Facilities Operations Coordinator Facilities Operations Coordinator
If Closure	Singage removed from School prior to handover to Estates. School financial code to be used where a request to Property & FM is required.	Cluster Business Manager and LE Team Facilities Operations Coordinator

IMPORTANT - No furniture or resources to be removed from school setting with exception of ipads or laptops which may follow the children to their new schools.

School financial code should continue to be used for the duration of mothballing. E.g. hiring or purchasing of packing materials