



Renfrewshire
Council

JNC/20

Scheme for the Appointment of Temporary
Teachers to Permanent Posts

Background

1. Clause 8.5 of the Scheme of Salaries and Conditions of Service for Teaching Staff on school education allowed teachers working on temporary contracts with SRC to apply for transfer to the permanent staff of that authority after one year's continuous service.
2. In March 2004, SNCT/31 provided guidelines by which LNCT's should reach local agreement on provisions to supersede Clause 8.5.
3. An agreement was already in place within Renfrewshire Council which reflected the previous SRC condition and confirmed its continuation with Renfrewshire Council. In light of this, the JNC took no action following the issue of SNCT/31.
4. Over the years the transfer to permanency of temporary teachers has created additional pressures in relation to the staffing of schools.
5. This paper seeks to agree a way forward which will balance the interests of temporary teachers, whilst safeguarding the future staffing needs of Renfrewshire Council.
6. Under the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, all temporary contracts or series of continuous temporary contracts that extend beyond 4 years, will be made permanent unless the employer can objectively justify why this should not happen.

Proposal

1. Where a teacher has met the qualifying criteria they may apply for a permanent contract with the Council and will receive confirmation of their entitlement to permanency in writing when the qualifying criteria below are met;
 - The required period of service or qualifying period is completed.
 - There is evidence of satisfactory teaching throughout the period of service.
 - There is a permanent post, for which the teacher can be appointed.

Where there is no permanent vacancy available, applications will be held on file and the first suitable vacancy to arise will be offered. In the interim, every effort will be made to ensure approved applicants are considered for long-term temporary posts. Where no long-term temporary post is available, applicants may continue to work supply and will be paid for the hours that they work. Should a vacancy exist in the permanent supply pool, approved applicants may express an interest in that post.

The required period of service is when a teacher has accrued 78 weeks reckonable service, over no more than 3 consecutive schools sessions, irrespective of when deployment begins.

Evidence of satisfactory teaching service will be required. Said evidence will be by way of head teacher reports.

An application will not normally be refused if the above conditions are met.

2. All teachers who meet the qualifying criteria and whose applications have been approved will be invited to attend an interview to determine the appropriate placement from the permanent positions available. Vacancies will be ring-fenced to those teachers whose applications have been approved.
3. Should no suitable permanent vacancy be available at the time of Staffing Exercise, or an insufficient number of vacancies are available in respect of applications, every effort will be made to consider those teachers for long-term temporary posts, pending a suitable vacancy becoming available. (Note: Approved applicants will not lose their right to permanency pending appointment to a vacant post).
4. Business Support will maintain a list of all temporary teachers working for the council, together with details of service. It is the responsibility of the temporary teacher to make an application to be made permanent.
5. For the avoidance of doubt, probationer service will not qualify as service for the purposes of this agreement.
6. All permanent posts are open to teachers who have achieved the GTC Standard for Full Registration.
7. Teachers on temporary contracts will be provided with the same access to information on vacancies for permanent posts as is provided to existing post holders. It is the responsibility of any temporary teacher or supply teacher wishing to secure a permanent post, to make an application for permanency.
8. An application for permanency must be submitted to the appropriate Education Manager using the pro-forma, Scheme for the Appointment of Temporary Teachers to Permanent Posts.
9. Appointment to the permanent staff of Renfrewshire Council, other than by way of the allocation priorities set out in Appendix 1, will continue to be by way of application and interview.

Scheme for the Appointment of Temporary Teachers to Permanency

Principles of Operation

A temporary teacher can make an application for permanency based on the following criteria:

Where a teacher has accrued 78 weeks reckonable service, over no more than 3 consecutive schools sessions, they may make an application for a permanent contract within the Authority.

The employment may have been full-time or part-time and may have been on a fixed term contract or supply work, or any combination of the two. Where a permanent part-time teacher has undertaken additional hours then they will be entitled to apply for a permanent contract in respect of those additional hours where they meet the requirements set out of this agreement.

Where teachers have been employed on a succession of short-term, fixed term contracts, even where there have been breaks of service, they will be entitled to make an application for a permanent contract if they accrue a total of 78 weeks service over no more than 3 consecutive school sessions.

Qualifying service comprises any week in which a teacher is employed as a teacher by the Council.

An application must be submitted using the attached pro-forma (Application – Scheme for the Appointment of Temporary Teachers to Permanency – Appendix 1a) to the appropriate Education Manager. Submission must be no later than 30 November for consideration for permanency at the start of the following school session. Applications forms received after the 30 November will not be considered until the following annual staffing review.

Appointment to the permanent teaching staff of Renfrewshire Council will be by way of application and submission of satisfactory head teacher's report. Detail of permanent vacancies will be provided to applicants.

All teachers who meet the qualifying criteria and whose applications have been approved will be invited to attend an interview to determine the appropriate placement from the permanent positions available. Vacancies will be ring-fenced to those teachers whose applications have been approved.

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Where there is no permanent vacancy available, approved applicants will be considered for the first suitable vacancy to arise. Every effort will be made to ensure approved applicants are considered for long term temporary posts. Where no long-term temporary posts are available, approved applicants may continue to work supply and will be paid for the hours that they work.

The permanent appointment will match the hours undertaken by the teacher during the qualifying period of service. Where the hours have varied, an average will be taken over the qualifying period.

The Council will request a head teacher's report as evidence of satisfactory service to cover the full qualifying period (Appendix 1b).

Where teachers have worked in various establishments, during the qualifying period, reports submitted at the end of each long temporary contract (i.e. any period of 4 weeks or more) will be used to support their application.

Where an unsatisfactory report has been received for a deployment; an Education Manager will assess appropriate action and it may be that the period of unsatisfactory employment is excluded from the qualifying service period.

It is recognised that any vacancies are allocated on an agreed priority as follows:

1. Allocation of probationers – all local authorities are required to take an agreed allocation of probationers each year, therefore posts require to be identified for them in the first instance.
2. Teachers who have been transferred compulsorily within 2 years should be given the opportunity to return to their original schools should a vacancy arise.
3. Teachers who become surplus to an establishment of a particular school as a result of a school closure or amalgamation.
4. Teachers who are either volunteers or who are to be transferred compulsorily because they are surplus to the establishment of a particular school as part of the annual staffing review.
5. Teachers entitled to a permanent contract under this agreement.

This policy will be monitored and reviewed annually by the Joint Secretaries.

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 6 February 2024

Report by Interim Head of Education

JNC/20 Scheme for the Appointment of Temporary Teachers to Permanent Posts: (Addendum)

1. Background

1.1 Under JNC 20 where a teacher has met the qualifying criteria they may apply for a permanent contract with the Council and will receive confirmation of their entitlement to permanency in writing when the following qualifying criteria are met:

- The required period of service or qualifying period is completed.
- There is evidence of satisfactory teaching throughout the period of service.

1.2 At present an application must be submitted to HR using the prescribed proforma no later than 30 April in any given year.

1.3 It is intended that those whose applications are successful will if possible be allocated to a vacancy within a school as part of the annual staffing exercise for allocation in August in each session.

1.4 The above submission date does not align well with the key milestones of the annual staffing exercise and therefore does not best serve the interests of temporary teachers nor future staffing needs of Renfrewshire Council

1.5 Management therefore requested a trial period during which a change to the submission date for JNC 20 applications would be implemented to better serve mutual interests and needs; that is a change from 30 April to 30 November.

1.6 Discussion took place with Trade Unions representatives who agreed to the trial period with the proviso that for the first year there could be two submission dates - in April and November - so that applicants were not disadvantaged.

2. Recommendation

2.1. Members of the JNC are asked to:

- approve and formalise to make permanent this change of submission date from 30 April to 30 November

Appendix 1(a)

Application – Scheme for the Appointment of Temporary Teachers to Permanency
JNC20

Personal Details

Name: _____

Employee Number: _____

Sector Secondary Primary ASN

Subject (if Secondary qualified): _____

Start Date of Post: _____

Pointage (FTE) held: _____

Approval to teach in a Denominational school (Please ensure this section is completed where applicable)

The relevant legislation on the management of denominational schools in Scotland states that:

‘A teacher appointed to any post on the staff of any such school by the education authority... shall be required to be approved as regards religious belief and character by representatives of the church or denominational body in whose interest the school has been conducted’

For those teaching posts which impact on the teaching of Religious Education, teachers will, in addition, be expected to have obtained an appropriate teaching qualification in Catholic Religious Education.

Do you hold church approval to teach in a denomination school? Yes No

Do you have an appropriate teaching qualification in Religious Catholic Education?
 Yes No

Please complete page 1, above, and pass the document to the head teacher for completion of page 2

Head teacher assessment of professional performance (JNC20 application)

Measured against the *Standards for Registration: mandatory requirements for registration with the General Teaching Council for Scotland*, please tick the appropriate boxes below to indicate the overall level of professional performance in the following areas:

{NB where a subject specialist has been undertaking general supply cover, then 'Not applicable' may be indicated for Professional Knowledge & Understanding and a reason given in the relevant section below}

	Excellent	Satisfactory	Unsatisfactory	Not Applicable
Professional Knowledge and Understanding				
Professional Skills and Abilities				
Professional Values and Personal Commitment				
Reason for 'Not applicable' selection				

If the performance of the teacher has been unsatisfactory in any of the above areas, please indicate below which of the following steps you have taken: -

	Yes	No
Made teacher aware of specific concerns regarding their performance		
Offered appropriate support		
Agreed appropriate professional development opportunities		
Set appropriate targets for improvement		

Professional Review & Development

	Yes	No
Has the teacher engaged in the professional review and development process?		
If 'Yes', date of last review		

Overall assessment of suitability for transfer to permanent status

	Yes	No
I consider this teacher to be suitable for employment as a permanent teacher within Renfrewshire Council {If ticking 'No', please give reasons in the box below}		

Reasons why teacher should **not** be offered a permanent appointment in Renfrewshire Council (additional comments can be provided on a separate sheet)

I confirm that this is an accurate report which has been discussed with the teacher concerned.

Name of Head Teacher (Print)		Signature of Head Teacher	
Name of Teacher (Print)		Signature of Teacher	
School		Date	



Report on Temporary Teacher

(Required for temporary staff in post over 4 weeks)

Personal Details

Teacher's Name: _____

Employee Number: _____

Sector Secondary Primary ASN

Subject (if Secondary qualified): _____

Start Date of Post: _____

Pointage (FTE) held: _____

Is current disciplinary action record on file for this teacher? Yes No

Have timekeeping or attendance given any recent cause for concern? Yes No

Approval to teach in a Denominational school (please ensure this section is completed where applicable)

The relevant legislation on the management of denominational schools in Scotland states that:

'A teacher appointed to any post on the staff of any such school by the education authority... shall be required to be approved as regards religious belief and character by representatives of the church or denominational body in whose interest the school has been conducted'

For those teaching posts which impact on the teaching of Religious Education, teachers will, in addition, be expected to have obtained an appropriate teaching qualification in Catholic Religious Education.

Does the teacher hold church approval to teach in a denomination school? Yes No

Does the teacher have an appropriate teaching qualification in Religious Catholic Education?
Yes No

Head teacher assessment of professional performance (temporary supply staff)

Measured against the *Standards for Registration: mandatory requirements for registration with the General Teaching Council for Scotland*, please tick the appropriate boxes below to indicate the overall level of professional performance in the following areas:

{NB where a subject specialist has been undertaking general supply cover, then 'Not applicable' may be indicated for Professional Knowledge & Understanding and a reason given in the relevant section below}

	Excellent	Satisfactory	Unsatisfactory	Not Applicable
Professional Knowledge and Understanding				
Professional Skills and Abilities				
Professional Values and Personal Commitment				
Reason for 'Not applicable' selection				

If the performance of the teacher has been unsatisfactory in any of the above areas, please indicate below which of the following steps you have taken: -

	Yes	No
Made teacher aware of specific concerns regarding their performance		
Offered appropriate support		
Agreed appropriate professional development opportunities		
Set appropriate targets for improvement		

Professional Review & Development

	Yes	No
Has the teacher engaged in the professional review and development process?		
If 'Yes', date of last review		

Overall assessment of suitability

	Yes	No
I consider this teacher to be suitable for employment as a supply teacher within Renfrewshire Council {If ticking 'No', please give reasons in the box below}		

Reasons why teacher should **not** be offered temporary supply cover deployment in Renfrewshire (additional comments can be provided on a separate sheet)

I confirm that this is an accurate report which has been discussed with the teacher concerned.

Name of Head Teacher (Print)		Signature of Head Teacher	
Name of Teacher (Print)		Signature of Teacher	
School		Date	