

Inverclyde Council

Education Services

LNCT 04 – Employment of Teachers on Temporary Contracts

2025

Introduction

This agreement sets out the circumstances leading to the employment of temporary teaching staff and, subject to qualifying service, transfer to the permanent staffing complement of Inverclyde Council through the annual staff exercise. It should be read in conjunction with the Council's Staffing Procedure and the Teacher Self-registration guide.

This agreement takes full account of the requirements placed on Inverclyde Council by the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002, as well as the Part-Time Workers (Prevention of Less Favourable Treatment) and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

Purpose

This agreement will ensure that employees on temporary contracts are not treated less favourably than permanent employees.

Recruitment

Every teacher recruited to undertake work on a temporary basis will normally be appointed in accordance with [Inverclyde Council's Recruitment, Selection, Redeployment and Relocation Procedure](#).

Following this process such teachers will be placed on a register of approved teachers maintained for this purpose.

It is recognised that there will be teachers who may be employed on temporary contracts for significant periods of time. In such cases the letter of employment will state the expected length of appointment.

The monitoring of the competence and conduct of supply teachers will be carried out under the terms of **Appendices A and B** of this agreement.

Temporary Contracts

Inverclyde LNCT recognises three situations when Inverclyde Council may need a teacher to work other than on a permanent basis. These are set out below:

1. Posts funded through time-limited, temporary funding.

Apart from Pupil Equity Fund posts and those posts used to “top up” first year of Permanent staff to 1.0 FTE, these posts will be appointed through normal recruitment procedures in line with LNCT 05.

Pupil Equity Fund posts (See **Appendix C**) will be recruited as follows:

- PEF posts are normally one year development opportunities.
 - Prior to filling a successive PEF post a teacher must return to their substantive post for a minimum 3-month period (excluding holidays), the remit of the role must change to reflect a new one-year development opportunity, and the normal recruitment process must apply.
- The term ‘PEF’ will form part of all job titles.
- All promoted PEF posts should be job sized in line with LNCT 14
- PEF post recruitment will begin prior to August with appointments beginning in August each year.
- All PEF contracts will state the duration of the post.
- PEF funded ‘Responsibility Posts’ have no backfill of substantive post as PEF is used to ‘top up’ a substantive salary.
- PEF funding cannot pay for maternity or sickness cover so no cover will be available for vacant PEF posts.
- The paperwork for all PEF appointments will be sent to HR.Education@inverclyde.gov to follow the normal approval process - approved by Head of Service and Principal Accountant
- Interview paperwork will be sent to HR.Education@inverclyde.gov.uk.
- Change in Circumstance forms will be completed through Victoria Forms

2. Supply Teachers (short-term)

- Short-term supply teaching is defined as a period of cover of two days or less.
- Short-term supply teachers are provided with a statement of relationship primarily to express that there is no duty to offer work and no requirement to accept work. i.e., no mutuality of obligation, they will also be provided login details for Teacher Booker and a copy of the Teacher Self-registration guide.
- SNCT [Code of Practice on Short Term Supply](#).

3. Supply Teachers (long-term)

- Long-term supply teaching is defined as a period of cover of more than two days.
- Long-term supply cover is covered by a virtual temporary contract which is assumed automatically although there may be no physical contract in place.
- Unless otherwise stated on appointment, long-term temporary contracts will terminate on or before the end of a school session each June.
- Unless otherwise stated, for the purpose of this document the term 'supply teacher' refers to both short and long-term supply teachers, and those undertaking a longer-term, fixed term contract.
- See also: SNCT [Code of Practice on the use of Fixed Term Temporary Contracts](#)

Appointment to RC denominational schools

"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".

Education (Scotland) Act 1918; Education (Scotland) Act 1980 Section 21(2); Self Governing Schools etc. (Scotland) Act 1989 Sch.10

To enable Inverclyde Council to fulfil its statutory responsibilities, appointments to teaching posts in Roman Catholic schools will only be made where candidates have secured the approval of the Roman Catholic Church as to their "religious belief and character".

The process of seeking and securing approval is determined solely by the Roman Catholic Church.

The approval process including the requisite forms is set out on the website of the Scottish Catholic Education Service (SCES) at [Church Approval | Scottish Catholic Education Service | SCES](#)

For posts the follow criteria will apply:

- All job specifications for posts with denominational schools will continue to have the need for approval within the essential criteria
- All secondary RE teaching posts will have the need to Catholic Teacher's Certificate in Religious Education (CTC) as essential
- All job specifications for posts with denominational schools will have the need for the Catholic Teacher's Certificate in Religious Education (CTC) within the desirable criteria

Transfer to Permanent Staff

Movement to a permanent post will be open to teachers on temporary contracts through normal recruitment processes. Teachers on temporary contracts will be provided with the same access to information on vacancies for permanent posts as is provided to employees of Inverclyde Council.

A supply teacher, who has been employed by Inverclyde Council continuously for twenty-four months, post full registration with the General Teaching Council for Scotland, will be eligible for a transfer to the permanent staffing complement of Inverclyde Council. The timing of the transfer will be confirmed during the annual staffing exercise – see Staffing Procedure.

A transfer to permanent staff will be facilitated where there is a permanent teaching vacancy available unless there is objective justification for not doing so - see LNCT 05.

For this agreement, a vacancy is defined as a teaching position expected to continue beyond one academic session funded within the core staffing complement of a school, establishment, unit, or project.

Under the terms of the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, Inverclyde Council is required to limit the use of fixed term contracts for any employee to a maximum period of four years, unless objectively justified.

After this period, teachers who have continued to be employed on fixed term contracts will automatically become permanent members of staff, unless there is a good reason this should not happen.

Appendix A

Supply Teacher Competence and Conduct Monitoring and Evaluation System

Use of Supply Teachers

Inverclyde Council will make available to all supply teachers the Code of Practice on the Engagement of Short-Term Supply Teachers, the Code of Practice on the Use of Fixed Term Temporary Contracts, LNCT 04 – Employment of Teachers on Temporary Contracts and LNCT 03 – Accelerated Incremental Progression.

Interviews for the supply register may take place where:

- a) the candidate is not fully registered with the GTCS e.g., a probationer on the flexible route.
- b) the candidate has gaps in their registration history.
- c) the candidate did not train in Scotland but has been granted Provisional/Conditional registration by the GTCS.

This information will be checked by the HR Support Team as candidates apply for the supply register and any issues highlighted to the HR Operations team. HR Operations will liaise with the relevant Education Officer in respect of contacting potential supply teachers and deciding on whether the potential supply teacher should have an informal meeting or a more formal interview for inclusion on the supply register. Applicants who have had their induction year extended may also be interviewed to determine whether they should be placed on the supply register.

Quality Assurance

Inverclyde Council is committed to the provision of high-quality teaching and learning for all pupils. Managing the performance of teaching staff is recognised as a key element in this and is a continuous process that should apply to all employees regardless of whether they are permanent or supply teachers. **All** teaching staff are entitled to an annual meeting to discuss their own Career Long Professional Learning.

Teachers working on a day-to-day supply basis do not have the same opportunities for feedback. For this reason, this monitoring and evaluation system for supply teachers has been put in place. As well as being able to assess the overall quality of all supply teachers, this process will also highlight any supply teachers who need support to improve their performance.

Quality Assurance Procedures

It is recognised that the level of monitoring and evaluation will vary depending on the length of supply contract in any individual establishment.

A form (**Appendix B**) will be completed by a member of the SMT or line manager immediately concerns have been identified. There is no requirement to complete a form for a supply contract if no issues are raised.

Concerns must be discussed with the supply teacher before this form is submitted. In cases where the supply teacher's contract with the establishment has ended then a meeting should be arranged.

All monitoring forms will be submitted to HR Operations for collation and then to the appropriate Education Officer for review.

Forms will be monitored and if there are concerns that the teacher is not meeting the GTCS Standard for Registration then the GTCS Framework on Teacher Competence will be implemented. Feedback from this monitoring will be provided to the teacher and to the relevant establishment/s.

Removal from the supply register

Concerns about a supply teacher's competence must be dealt with in line with the GTCS Framework on Teacher Competence. Concerns about a supply teacher's conduct should be dealt with through Inverclyde Council's Discipline Procedures for Teaching Staff.

It is recognised that there may be circumstances where, because of conduct or competence issues, it is necessary to remove teachers from Inverclyde Council's supply register.

Competence

Where an unsatisfactory report is received then the following procedures will be adopted:

- Regular meetings and communication between HR Operations and the Education Management Team will provide ongoing monitoring of forms and feedback will be provided to the teacher and to the relevant establishment/s.
- When required, the EMT and HR will arrange to meet with the supply teacher. The teacher has the right to be accompanied at this meeting by their Trade Union representative and the staged process of the GTCS Framework on Teacher Competence should be followed.
- The outcome of this meeting will be communicated in writing to the supply teacher and a copy held by HR Operations Team.

- If the decision is taken to remove the supply teacher from the register the Head of Service will confirm their decision in writing to the supply teacher within 14 days of the meeting. The Head of Service will also advise the HR Support Team, so the Teacher is removed from the Supply Register.
- The supply teacher shall have the right of appeal to the Corporate Director of Education, Communities and Organisational Development within 14 days of receiving written confirmation of the decision.
- The Corporate Director of Education, Communities and Organisational Development will arrange, as soon as possible, a meeting to hear the appeal and will be accompanied by an HR advisor. The supply teacher has the right to be accompanied at the meeting by their Trade Union representative.
- The decision of the Corporate Director of Education, Communities and Organisational Development will be final.

Conduct

Any alleged conduct issues will be dealt with by invoking Inverclyde Council's Discipline and Supporting Performance Policy. However, where the teacher is on short term supply and this is not practicable, the concerns should be brought to the HR Operations Team's attention using the form attached as **Appendix B**.

The employee will be invited to a meeting with HR Operations and senior Education management to address the concerns raised. The teacher has the right to be accompanied at this meeting by their Trade Union representative.

Outcomes may include support measures, an agreed achievable action plan, an improvement note issued (removing the immediate need for disciplinary action), a recommendation that a disciplinary procedure is initiated or removal from the supply register.

If a supply teacher is removed from the **supply** register because of conduct issues, they will have the right of appeal to the Corporate Director of Education, Communities and Organisational Development (or nominated senior manager).

Appendix B Supply Teacher Monitoring Form

This form should be completed immediately when there has been an issue raised with a supply teacher about their performance.

Name of Supply Teacher	
School	
Stage/Subjects covered	
Dates of Supply Cover	

Please outline below any issues with performance that have been discussed with the supply teacher.

Supply Teacher's comments (if any):

Action to be taken, e.g. None required, continue to monitor, support or development opportunities offered.

SMT or line manager's signature	Date discussed with supply teacher.
Position:	Supply teacher's signature:
Date	Date



