



Education and Learning Service

Highland Local Negotiating Committee for Teachers

**LNCT Agreement no 24
(revised June 2025)**

Use of Temporary Contracts for Teaching Staff

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1. Introduction

1.1 SNCT Handbook Part 2, Appendix 2.8, provides a Code of Practice on the use of temporary contracts for teachers working in Scottish Schools. The code takes account of current employment legislation, including the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2002.

1.2 The purpose of the Code of Practice is to enhance the principles of a professional service and assist Highland Council in managing their staffing requirements in a coordinated and structured way, and to ensure that employees on temporary contracts are not treated less favourably than permanent employees.

1.3 The code encourages LNCTs to reach agreement at a local level on provisions that supersede Paragraph 8.5 of the Scheme of Salaries and Conditions of Services for Teaching Staff

1.4 This policy applies to teaching staff (excluding associated professionals).

2. Use of Fixed Term Temporary Contracts

2.1 Fixed-Term Temporary Requirement

Part 2, Appendix 2.8, SNCT Handbook sets out that fixed term temporary appointments may be made in the following circumstances. Where it is known at the outset, or it becomes clear, that the requirement for cover is likely to be ongoing or lengthy a fixed term temporary contract (in accordance with the SNCT Code of Practice on the Use of Fixed Term Temporary Contracts) and any relevant LNCT Agreements should be issued.

- Maternity leave
- Paternal leave
- Adoption leave
- Career break
- Long term sickness absence
- Secondment
- Sabbatical
- Staffing from time limited funding
- Pattern of recurrent work eg CCR, management or probationer cover
- Staffing required due to temporary roll increase
- Other exceptional circumstances

In such circumstances a fixed term temporary contract will be issued specifying entitlement to pay and detailing expected duration, reason for the appointment and notice period.

3. Recruitment & Career-Long Professional Learning (CLPL)

3.1 All teachers recruited to undertake work on a fixed term temporary basis will be appointed in accordance with the Council's recruitment procedures.

3.2 Following this process, successful candidates can request to be placed on the Highland Council supply register if they wish, without the requirement of completing a further application form. Please contact:

staffing.recruitmentteaching@highland.gov.uk.

3.3 Temporary teachers will be provided with the same access to information on vacancies for permanent posts as is provided to existing permanent staff.

3.4 All teachers shall have an entitlement to CLPL as set out Section 9 (Other Provisions), SNCT Handbook

3.5 All teachers are entitled to access the Professional Review and Development (PRD)/ Professional Update (PU) process as set out in LNCT 35 Highland Policy and Guidance on Professional Review and Development for Teachers

4. Transfer to the Permanent Staff

4.1 The following sets out the revised conditions on which transfer to the permanent teaching staff will be applicable within Highland Council.

4.1.1 Where a teacher has been employed continuously for 2 years on a fixed term temporary basis and has provided competent service (see section 4.1.5) they will be eligible to request a permanent contract. This employment may have been on a full or part time basis.

4.1.2 A week of teaching service comprises any week in which a teacher is employed, as a teacher, by the council regardless of the number of hours worked. This includes periods of annual leave, public holidays, sickness absence, family leave or other special leave but excludes probationary service.

4.1.3 Continuous service for these purposes is deemed to be service which has not been broken by a period of more than two calendar weeks other than for periods of sick leave, family leave, other special leave or school holiday periods.

4.1.4 Teachers that have held a series of non-successive fixed term contracts amounting to two calendar years (24 months) service within a period of four years shall be eligible to request a permanent contract.

4.1.5 In terms of competent service, if underperformance is identified in a supply teacher, it is the responsibility of the Headteacher to make reference to LNCT 39 Implementing the General Teaching Council for Scotland (GTCS) Framework on

Teacher Competency for further guidance, noting that the preliminary stage should be informal and supportive. Any appropriate support provided to secure an improved performance, and any action taken, should be documented.

4.1.6 Formal requests for consideration under paragraphs 4.1.1 and 4.1.4 should be submitted by the teacher in writing directly to the Workforce Planning & Staffing teaching team at CLStaffing.Teaching@highland.gov.uk providing their relevant employment history details for verification and decision.

4.2 Permanent appointments made under paragraphs 4.1.1 and 4.1.4 will normally match the hours undertaken by the teacher during the two years of continuous service. Where the hours have varied an average of the two years qualifying service will be used.

4.3 The Council will seek to identify a post, where possible, within reasonable travelling distance of the teacher's home.

Where a permanent post is not available, temporary posts will be used, where available, to maintain the employee in a paid position as close in size to the accrued right as possible.

Staff will be subject to relocation at the natural termination point of this contract, and it must be made clear that this situation is not one of surplus and must not be confused with the terms of LNCT 28.

4.4 Teachers have the option to decline any offer without detriment to the future.

Signed on behalf of The Highland Council		Signed on behalf of the Teachers' Side	
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Designation	Joint Secretary LNCT	Designation	Joint Secretary LNCT
Date	3 June 2025	Date	3 June 2025