ABERDEEN CITY COUNCIL

COMMITTEE	Education, Culture and Sport
DATE	24th November 2009
DIRECTOR	Annette Bruton
TITLE OF REPORT	The Management of Excess Teaching Staff
REPORT NUMBER	ECS/09/052

1. PURPOSE OF REPORT

The Job Matching in Schools Procedure, agreed by Policy and Strategy (Education) Committee on 29th April 2008, makes reference to an agreed protocol to determine the future deployment of those staff placed on the Excess Staffing List.

This report outlines the protocol recommended for the management of excess teaching staff.

2. RECOMMENDATION(S)

It is recommended that Committee approve the Protocol on the Management of Excess Teaching Staff.

3. FINANCIAL IMPLICATIONS

The Protocol does not, in itself, give rise to any financial implications. Failure to appropriately manage excess teaching staff in the City could give rise to additional costs within the schools affected.

4. SERVICE & COMMUNITY IMPACT

Vibrant, Dynamic and Forward Looking contains a commitment to ensure that education is appropriate to pupil needs. The Protocol on the Management of Excess Teaching Staff will allow the Authority to manage staff who are identified as excess in a particular school/sector appropriately, thus ensuring that staff are deployed in the schools/sectors where they are needed.

Objective 1 of the Corporate Improvement Plan refers to the effective management of the Council's financial resources and assets, including the rigorous monitoring of spend against budget.

Objective 3 of the Corporate Improvement Plan refers to the control of headcount consistent with budget decisions.

The Protocol on the Management of Excess Teaching Staff will provide an agreed process for ensuring that teaching staff are deployed where they are most needed, and that any excess staff who cannot be accommodated in teaching posts within the City are managed appropriately.

5. OTHER IMPLICATIONS

As far as possible, excess teaching staff will be transferred into vacancies within other schools. Where this is not possible, voluntary means of reducing the workforce will be sought. Should no other option exist, the protocol allows for compulsory redundancy to be applied.

Full consultation has been undertaken with the teaching trade unions, and the draft has been discussed at the Local Negotiating Committee for Teachers. The Teachers' side of the LNCT agreed the draft protocol subject to agreeing the Managing Redundancy Procedure.

The Equality and Human Rights Impact Assessment did not identify any required changes to the Protocol.

6. REPORT
See attached Protocol.

7. REPORT AUTHOR DETAILS

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8. BACKGROUND PAPERS

The Protocol on the Management of Excess Teaching Staff sits alongside a number of existing policies and procedures, as detailed below:

- *Policy on compulsory Transfer for Teaching Staff*
- *Job Matching in Schools Procedure*
- *Policy on Early Retirement of Teaching Staff*
- *Redeployment Policy and Procedure*
- *Redundancy Policy and Procedure*

PROTOCOL ON THE MANAGEMENT OF EXCESS TEACHING STAFF

Contents

Section 1: Introduction

This document outlines the process to be followed in cases where teaching staff are identified as "excess". This document applies to all teaching staff employed by Aberdeen City Council.

Every reasonable effort will be made to retain teachers in employment whose employment is at risk due to being declared "excess", and other alternatives to mitigate the risk of redundancies will be considered. There may however be occasions where compulsory redundancies are unavoidable and where this is the case, selection for redundancy will be based on clear criteria that will be objectively and fairly applied.

Section 2: References

This protocol should be read in conjunction with the following procedures:

- Policy on Compulsory Transfer for Teaching Staff
- Job Matching in Schools Procedure
- Policy on Early Retirement of Teaching Staff
- Redeployment Policy and Procedure
- Redundancy Policy and Procedure

Section 3: Circumstances which may result in excess staff

The following situations may result in teaching staff being declared "excess":

- Changes in formula allocation to schools, e.g. arising from changes in the school roll or the element of the formula allocated to schools

- As a result of a job matching process being undertaken in line with the Job Matching in Schools Procedure. This may be due to school rationalisation or school restructuring

Section 4: Identifying the excess member of staff

Where a school has an excess staffing situation, the Compulsory Transfer Procedure of Teaching Staff will be applied to the relevant group of staff to identify the individual who is excess.

Section 5: Options for excess staff

The following options will be considered in all cases of excess teaching staff:

- Transfer into a post in another school in line with the Compulsory Transfer of Teaching Staff Policy

- Voluntary early retirement in line with the Early Retirement for Teaching Staff Policy

- Voluntary early retirement of another teacher in the same subject area/sector to allow for a transfer to take place. *(a list of those individuals who may be interested in pursuing early retirement will be held to facilitate this option)*

- Retraining for another subject area/sector in line with the GTCS Framework for Professional Recognition

- Redeployment into another post in the Council, on the terms and conditions of employment applicable to the post (in which case the Council's Redeployment Policy will apply)

Section 6: Compulsory redundancy

The measures set out in Section 5 are alternative courses of action other than redundancy. Where none of these options is possible, the excess member of staff will be at risk of redundancy and as such the Council's Managing Redundancy Policy will apply.

Protocol for Excess Teaching Staff Flowchart

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            ┌─────────────────────────────────┐
            │ Teaching Staff Identified As Excess │
            └─────────────────────────────────┘
                          │
                          ▼
      ┌──────────────────────────────┐
      │ Has new post been identified │  ──YES──▶  ┌──────────┐
      │ In line with compulsory transfer│          │ Complete │
      │ Policy?                      │            │ Transfer │
      └──────────────────────────────┘            └──────────┘
                    │
                   NO
```

Teaching Staff Identified As Excess

Has new post been identified In line with compulsory transfer Policy? — YES → **Complete Transfer**

NO

Is early retirement for either the excess member of staff or a colleague in the same subject area/sector an option in line with the ER policy? — YES → **Consider applications individually in line with ER policy** → **Has early retirement been agreed?** — YES → **Complete early retirement**

NO

Is retraining for other subject areas/sectors an Option in line with GTC Framework for Professional Recognition? — YES → **Complete Retraining** → (back to) **Has new post been identified In line with compulsory transfer Policy?**

NO

Is alternative employment in the Council an option in line with the Redeployment Policy and Procedure (*any such redeployment would be on to the terms and conditions of the post redeployed into* — NO → **Apply Redundancy Procedure**

YES → **Has alternative employment been identified?** — YES → **Complete redeployment**