

EAST AYRSHIRE COUNCIL

JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF – 8 OCTOBER 2009

JNCT CIRCULAR 20: PROCEDURES TO MANAGE THE CHANGES TO MANAGEMENT STRUCTURES IN SECONDARY SCHOOLS

Report by Executive Director of Educational and Social Services

1. PURPOSE

- 1.1 To outline a set of procedures for managing the changes to secondary school management structures based on the recommendations of the review of Secondary School Management Structures report agreed by the Member/Officer Lifelong Learning Strategic Review Group in June 2009.

2. BACKGROUND

- 2.1 Cabinet on 11 February 2009 outlined a requirement to review secondary school middle management structures to increase operational and financial efficiency and create opportunities for additional classroom teachers to be employed in secondary schools.
- 2.2 A business review exercise was completed in May 2009, and approved by the Member/Officer Lifelong Learning Strategic Review Group in June 2009.
- 2.3 The business review took cognisance of the fact that school rolls across most secondary schools had fallen significantly over the past five years, but there had been no requisite change in the number of senior managers in post to reflect this. The review also reflected upon the development of 'faculties' across schools in many other local authorities in Scotland, but focussed mostly on those authorities and schools which had developed 'cognate' faculty systems. The principle of cognate faculties is to create teams of subject specialists in cognate subjects who could maintain subject integrity, but work together as appropriate in an inter-disciplinary manner.
- 2.4 The development of promoted posts in secondary schools in East Ayrshire has historically been guided by the conditions described in Standard Circular 65. This enabled head teachers, in consultation with school staffs, to develop promoted post structures that meet local needs and priorities using a points system. The business review retained the principle of allowing head teachers the flexibility to continue to develop a secondary management model for their own school which best met local needs in consultation with their staff and Parent Council. An effect of this approach however is that no two schools presently have identical management or promoted post structures.

- 2.5 The business review retained the formula by which posts were allocated to schools but reduced the global sum by 17.5%. Head Teachers were asked to create an aspirational model which would work within these new points parameters, while also producing an interim model for August 2009 which took into consideration present vacancies, and the potential impact of a Teacher Refresh Scheme which was launched in May 2009, releasing 47 senior and middle management staff across all secondary schools in the authority.
- 2.6 Head Teachers subsequently drew up, in consultation with staff and their Parent Council, an aspirational model of the management structures they anticipated evolving within their schools based on the revised points allocation. The revised number of Principal Teachers and Depute Head Teachers in this model were agreed collegially at school level and based within the parameters of the financial allocation for management structures. There were some recommendations which Head Teachers took cognisance of when agreeing their aspirational model and these are outlined below in section 3. In addition to the aspirational model Head Teachers also drew up an interim model which would reflect their position from August 2009.

3.0 PROPOSAL

- 3.1 Secondary schools will continue to use the points system as defined in Standard Circular 65 to calculate their model of middle and senior management staffing. The global points available will be reduced by 17.5% of the points allocation in Standard Circular 65, given the exigencies of efficiencies savings, the reduction in school rolls and the opportunity to develop inter-disciplinary teams within the context of the flexibility afforded by the Curriculum for Excellence. The revised points allocations are attached as appendix 1.
- 3.2 Once the differential between the present use of points and the new allocation is calculated, any deficit will be placed against the school budget as a financial savings target. Although schools are responsible for the budget, support will be given by the authority to help manage and reduce the deficit as opportunities arise through early retirement, redeployment and transfer of staff through falling rolls. Headroom for such an exercise has already been facilitated by a targeted programme of enhanced early retirement for Deputes, Principal Teachers and staff on promoted conserved salaries. 47 posts across the service at Depute Head Teacher/Principal Teacher level were released in August 2009 through uptake of this early retirement option and this has facilitated most secondary schools to move, at least in part, towards meeting the financial targets identified through the change in pointages.
- 3.3 Within the aspirational model for each school, based on school roll, there will be retention of a minimum of two Depute Head Teachers (unless the school roll drops below 400) and a maximum of four Depute Head Teachers unless the roll

exceeds 1200 pupils or there are other justifiable circumstances which merit an exception to the provision. This would have to be evidenced to the Head of Schools by the Head Teacher.

- 3.4 When deciding the number of Principal Teachers in a secondary school, consideration (including financial) will be given to job sizing levels and time for management for the Principal Teachers and Depute Head Teachers to carry out the personnel, management and administrative, functions of their posts.
- 3.5 **Time for management duties for principal teachers of subject** is based on their responsibilities, as determined through job sizing levels, and is detailed in appendix 2 of this report. It is important to note that time for management is identified for designated duties which focus on raising attainment. Following agreement with the Head Teachers, management time will be spent on activities such as classroom monitoring and review, and supporting departmental/faculty staff in agreed personnel matters, as well as administrative duties. It is essential to note that the protection of such time is subject to the exigencies of absence cover, the needs of learners and priorities determined by the education service and Head Teacher.
- 3.6 **Time for 'management duties' for principal teachers of guidance** is identified and drawn up in appendix 3 of this report. It is recognised that duties may vary in schools of different sizes and social-economic contexts and the time allocation in appendix 3 is therefore deemed to be a minimum and open for amendment by the Head Teacher based on the needs of the school community and set within the resources at her/his disposal. It is essential to note that the protection of such time is subject to the exigencies of absence cover, the needs of learners and priorities determined by the education service and Head Teacher.
- 3.7 **Time for management duties for Depute Head Teachers** is outlined in appendix 4 of this report. The time allocation is based on a minimum of 700 minutes a week for depute head teacher duties (14 x 50 minute periods). It is recognised that this time allocation may vary within and between schools and is also subject to the clause that the protection of such time is subject to the exigencies of absence cover, the needs of learners and priorities determined by the education service and Head Teacher.
- 3.8 **Conservation rights of principal teachers and deposes in existing posts and moving into another promoted post within the authority:** Existing Principal Teachers (subject) appointed pre- 2001 will continue to have lifetime conservation even though their subject post is not identified in the school agreed aspirational model. Normally, this right would not transfer to a new post and the three year rule (post 2001) would apply. However during the period of the management structure review (up to 3 years) any promoted member of staff who is on lifetime conservation moving into another management post, either within

their own school or another school within the authority will retain their lifetime conservation rights in the new post.

3.9 Status of existing PT subject posts where they do not feature in an aspirational model. Where an existing Principal Teacher (subject) post no longer exists in the aspirational structures model (which comes into force from August 2009) existing Principal Teachers should be re-assured that there will be no impact on their posts until the time that their post has been vacated, either by promotion, transfer, leaving the post, or retirement. Principal Teacher subject posts which are not in the aspirational structure will not revert to a teacher post in 3 years. In addition the duties of the post will remain in place for the PT until the point that the post is vacated and there is an opportunity to move towards the aspirational model. The post holder will continue to discharge her/his full responsibilities within the existing structure in accordance with the agreed job sizing for the post.

3.9.1 Status of interim principal teacher faculty posts not identified in the aspirational model. There may be an occasion where a school will create a transitional faculty post on its way to creating a faculty post as per the aspirational model. For example, the aspirational model may have identified a PT Science post covering Biology, Physics and Chemistry even though the substantive posts of PT Chemistry, Physics and Biology remain in the school. A situation may arise however that one of the science subject principal teachers leaves her/his post with the result that a vacant science subject post is available. Notwithstanding the aspirational model, the impact of such movement would be reviewed by the Head Teacher, HR Manager and Head of Schools. Under such circumstances there are three possible scenarios:

1. A new permanent post of two sciences is created which retains, for appropriate applicants, lifetime conservation rights as per 3.8 and is appropriately job sized to reflect the duties of managing two subjects. This post would be advertised as per the recruitment and selection model described in section 4 of this paper.
2. If prevailing evidence indicates that there may be the potential for more movement towards the aspirational faculty within a period of up to two years a temporary post of two sciences will be created. This post is job sized to reflect the duties of managing two subjects and lifetime conservation rules as per 3.8 apply where appropriate. This post is appointed as per the recruitment and selection procedures described in section 4 of this paper and reviewed on an annual basis.
3. In some circumstances, as agreed by the Head Teacher and Head of Schools, it may be deemed appropriate, given the exigencies of the service, to create a permanent PT Faculty post, as per the aspirational structure, despite the fact that one or two other principal teacher subject

posts remain in the system. This post would be job sized to reflect the management of the three subjects and job sized appropriately. Lifetime conservation rules would also apply as per section 3.8. In this model the remaining principal teachers of subject would continue to discharge their responsibilities as before based on their job sizing pointage.

The decision on which of the three scenarios to adopt will be determined on a case by case basis once the priorities, circumstances and points allocation of the school in question have been reviewed. The Head of Schools HR Manager and Head Teacher will lead the exercise, although appropriate personnel, including the local professional association representative, will be consulted during the process. The rationale for these scenarios is based on recognition that movement towards the aspirational model will require interim steps if it is to be effective. Close partnership working between the school and education service will ensure this is managed in the best way possible. Issues will inevitably rise from time to time given such an interim policy and that is why the key principle underpinning this process is a 'case by case' review.

- 3.9.2 **Job Sizing.** If and when a secondary school meets the criteria for re-job sizing this will take place following discussion between the Head Teacher, Head of Schools and HR Manager (Education). The impact of job sizing on any existing promoted post in a school will be influenced by the conservation rules that apply to that post.

4.0 INTERIM RECRUITMENT AND SELECTION PROCEDURES LINKED TO THE ASPIRATIONAL MODEL.

- 4.1 Appointment of school senior and middle manager posts across all East Ayrshire schools from session 2009-2010 will be based on the aspirational models in each school. The JNCT paper (4 June 2003) titled: 'Transitional arrangements for promoted posts structures in schools and education services following a Teaching Profession for the 21st Century', set out a process of selection and recruitment procedures linked to the adaptation of management structures post-McCrone for all levels below Depute Head Teacher. The key tenets of this JNCT paper will be used from May 2009 to fill principal teacher posts in secondary schools. Section 3.4 of the 2003 JNCT paper summarised a range of steps that will generally be adopted for the purposes of this exercise. These are described in section 4.2.
- 4.2 **Step 1:** schools will identify the substantive promoted posts in their new management structure. New posts will be job sized using the toolkit.
- Step 2:** the principal teacher posts (faculty and/or subject) which are identified as a vacancy will be advertised within the school. In the first instance only principal teachers of the appropriate subjects (who have the required competencies as per

the person specification) within the school linked to a new faculty or subject will be eligible to apply for the posts.

Step 3: Applicants will be appointed to vacancies by means of submission of an application form and interview using established procedures under Standard Circular 16. It will be possible to proceed to interview with a list of 1 or 2 applicants. It is anticipated that an appointment will be made if at least one applicant during interview meets and demonstrates the competencies required for the faculty post. The competencies will be outlined in the job specification paperwork available prior to selection of listed candidates. There may however be extenuating circumstances that militate against an appointment. The evidence gathered during an interview would require to demonstrate this.

Step 4: where steps 2 and 3 do not result in an appointment the post (s) will be opened to an authority wide advertisement to all eligible principal teachers. Step 3 will be repeated. Once again, if an applicant meets and demonstrates during interview the competencies required for the principal teacher faculty post, it is anticipated that an appointment will be made unless there are extenuating circumstances that militate against this appointment. The interview evidence would need to demonstrate this.

Step 5: if steps 1-4 do not result in an appointment then the post will be open to national advertisement. It should be noted that in the event of appointment through national advertisement any additional costs to schools' pointages systems will be borne by the individual establishments.

5.0 PERSONNEL AND FINANCIAL IMPLICATIONS

- 5.1 It is recognised that faculty principal teachers managing larger teams of staff across departments will need to be trained, particularly in the areas of leadership management and human resource. Faculty PTs are not the 'subject experts' in the faculty; their role is as leader and manager of a range of professionals and they will, as a consequence, require to be supported to help them develop best practice in collegial and distributive management. This will be a CPD priority for the Department of Educational and Social Services in session 2009-2010. Resources will be utilised from school and education service budgets to fund this. Discussion will also take place with Corporate HR about principal teacher participation in a corporate leadership and management programme for middle managers.

6.0 RECOMMENDATIONS

- i. JNCT note all of proposals in sections 3 & 4 and approve the Report as an agreed supplement to JNCT Circular 5B;
- ii. instruct the Informal JCC (Teachers) to review the procedures and report annually to the JNCT on their effectiveness;
- iii. otherwise, note the contents of this report.

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Executive Director of Educational and Social Services

AS/AS
29 September 2009

Members requiring further information should contact Andrew Sutherland, Head of Service: Schools, Tel: (01563) 576126.

Implementation Officer: Andrew Sutherland: Head of Service Schools

Appendix 1

Roll Band	Points
0-300	4
301-400	165
401-500	190
501-600	198
601-700	223
701-800	256
801-900	293
901-1000	322
1001-1100	351
1101-1200	359
1201-1300	371
1301-1400	413
1401-1500	417
1501-1600	429
1601+	437

Appendix 2

Proposed allocation of 'time for management' for secondary school Principal Teachers (subject).

Time for management will result in a reduction, for a principal teacher, from the maximum teaching time of 22.5 hours a week. This time allocation, which may be approximate, is under the direction of the Head Teacher, or his designated representative, and should be allocated for classroom monitoring and evaluation linked to quality assurance, as well as personnel, management and administrative duties. Head Teachers will aim, normally, to protect this time and build it into the timetable. It must be noted however that this is not a contractual obligation and the demands of 'cover' or other exigencies of the timetable may necessitate the Head Teacher to increase the teaching commitment of a Principal Teacher up to 22.5 hours a week.

Ultimately, this local agreement is not part of a principal teacher contract and does not impact on SNCT terms and conditions of employment.

Scale Point	Minimum Weekly allocation of minutes
1-3	100 minutes
4-5	150 minutes
6	200 minutes
7	250 minutes
8	300 minutes

Principal Teacher Guidance: Time to manage pastoral, administrative and any management duties allocated.

Time for pastoral, administrative and any management duties will result in a reduction, for principal teacher guidance, from the maximum teaching time of 22.5 hours a week. An approximate allocation of **50 minutes of non-contact time for every 25 pupils** should be allocated to each Principal Teacher of Guidance. This time allocation is under the direction of the Head Teacher, or his designated representative, and as indicated above should be allocated for pastoral, administrative and any agreed management duties. Head Teachers will aim, normally, to protect this time and build it into the timetable. It must be noted however that this is not a contractual obligation and the demands of 'cover' or other exigencies of the timetable may necessitate the Head Teacher to increase the teaching commitment of a Principal Teacher, Guidance up to 22.5 hours a week.

Ultimately, this local agreement is not part of a principal teacher contract and does not impact on SNCT terms and conditions of employment.

It is also recognised that, given the particular the needs of the school community and the resources available, the time allocation to Principal Teachers of Guidance may vary from school to school and indeed within schools, in some cases exceeding the stated time above. Such agreements however will be confined to the school and not impact on any local agreement as set down in this paper.

Depute Head Teacher: Time for Management Duties

Time for management will result in a reduction, for a Depute Head Teacher, from the maximum teaching time of 22.5 hours a week. The approximate time allocation for a Depute Head Teacher to manage all duties set down by the Head Teacher should be based on a **minimum of 700 minutes (14 x 50 minute period) a week**. The head teacher may wish to supplement this with additional minutes of non-contact time for other duties. This time allocation is under the direction of the Head Teacher and should be allocated for personnel, management and administrative duties. Head Teachers will aim, normally, to protect this time and build it into the timetable. It must be noted however that this is not a contractual obligation and the demands of 'cover' or other exigencies of the timetable may necessitate the Head Teacher to increase the teaching commitment of a Depute Head Teacher up to 22.5 hours a week.

Ultimately, this local agreement is not part of a Depute Head contract and does not impact on SNCT terms and conditions of employment.