

# CLACKMANNANSHIRE COUNCIL

## LNCT AGREEMENT ON THE USE OF TEMPORARY CONTRACTS

### 1. INTRODUCTION

- 1.1 This Agreement establishes a code of practice for the use of temporary contracts for teaching staff within Clackmannanshire Council.
- 1.2 The Council recognises the important contribution made by temporary teachers. It is important that temporary teachers are treated in the same way as permanent staff and given access to appropriate induction, training and support.
- 1.3 The Agreement takes into account employment legislation, including 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 and the Equality Act 2010.

### 2. PURPOSE

2.1 The purpose of the agreement is to:

- enhance the principles of a professional service
- help the Council manage its staffing requirement in a co-ordinated and structured way, helping it to provide a responsive service
- provide teachers with access to secure employment opportunities, wherever possible
- ensure that employees on temporary contracts are not treated less favourably than permanent employees.

2.2 It recognises that there is a continuing requirement for temporary teaching staff to work on both a fixed term and short term supply cover basis.

### 3. EMPLOYMENT CATEGORIES

3.1 There are two situations, irrespective of hours worked, where the Council may need a teacher to work other than on a permanent basis:

#### 3.2 Fixed Term Temporary Employment

Where the likely duration of an appointment is known at the outset this, along with the reason for the appointment, will be included in the temporary contract of employment.

#### 3.3 Short Term Temporary Employment

In certain limited circumstances, teaching staff may be offered work on a short term temporary basis, generally with little or no notice, and often on a day to day basis. There is no obligation on the Council to provide work or on the teacher to accept the offer of work.

Where it becomes clear that the need for the cover is likely to be ongoing or lengthy, then the individual should be issued with a temporary contract as in 3.2 above.

**4. RECRUITMENT**

4.1 All appointments will be made on merit. All teachers, whether recruited to undertake supply, temporary or permanent work, will be appointed in accordance with the Council’s Recruitment and Selection Policy and Procedure.

**5. TRANSFER TO PERMANENT STATUS**

5.1 Appointment to a permanent post will be open to temporary teachers through the Council’s Recruitment and Selection procedures. Temporary teachers will be provided with the same access to information on vacancies for permanent posts as is provided to existing permanent post holders.

5.2 Teachers employed on a temporary contract, or a series of continuous temporary contracts, for a period of two years, who have given satisfactory service, will be guaranteed an interview for vacant posts for which they apply in the academic year in which qualifying service is achieved

5.3 Fixed term temporary teachers will not be selected for redundancy on the grounds of their employment status. Any selection for redundancy must be objectively justified.

**6. SUPPORTING STAFF**

6.1 The Council is committed to the professional development of all teachers, including temporary staff. Teachers employed on a fixed term temporary contract will attend in-service days and participate in the Professional Review and Development Process which focuses on identifying CPD opportunities.

6.2 Those working regularly on short term temporary contracts will also link into this process, as practical within their pattern of employment. They will receive feedback and discussion on development needs from the Headteacher as appropriate. This will allow appropriate support and development opportunities to be put in place.

**7. REMOVAL OF CLAUSE 8.5**

7.1 This agreement replaces the current arrangements under Paragraph 8.5 of the Scheme of Salaries and Conditions of Service for Teaching staff. This agreement is effective from 1 August 2005.

**8. REVIEW OF THE AGREEMENT**

This agreement has been reviewed by LNCT and amendments agreed, effective from 1st November 2012.

(Signed) On behalf of the Council ..... Date .....

On behalf of the Teachers’ Side ..... Date .....