

**EDUCATIONAL INSTITUTE
OF
SCOTLAND**

HIGHLAND LOCAL ASSOCIATION

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Since the last update, issued in December 2003, the EIS locally has been negotiating a job remit for Principal Teacher posts and also Appointments Procedures. We have also agreed a new policy on Discipline Procedures and Grievance Procedures

On the National Front an agreement has been reached on a Code of Practice for Temporary Contracts. It will be necessary to negotiate a local agreement based on this code. One of the key aspects will be the position of temporary teachers who are seeking a permanent post. Until agreement is reached, the terms of paragraph 8.3 of the Scheme will remain in place. That means that, as before, any member who has completed a full year's continuous service and wishes to be transferred to the permanent staff should write to the Area Education Manager requesting the transfer. Any problems should be referred to me.

The 2004 pay claim has been lodged and the Management side has still to respond, meaning that although any increase will be back dated to 1 April it will not be in the April salary.

It has also been agreed nationally that any former APT or ST who was not made a substantive PT and moves to an unpromoted post in another school will continue to receive their assimilated salary, equivalent to point 3 of the CT scale

Further information on this and other national issues are contained in the SEJ which you should receive at your home address and also in Bulletins sent regularly to school representatives from EIS HQ.

JOB REMITS - PRINCIPAL TEACHERS

One of the areas of negotiation devolved to Local Negotiating Committees (LNCTs) was job remits. This is a particularly important area as the Council move to new promoted post structures. It is important to note that the EIS did not agree the new promoted post structure in secondary schools. As I indicated in the June and December updates of last year, this is not an area that requires agreement with the unions nationally or locally. The Local Association Executive is opposed to the reduction of PT posts and any faculty approach that may be adopted.

The EIS however continues to represent members and in negotiating a job remit for Principal Teachers we have ensured that all PT duties must be consistent with Annex B of the 2001 Agreement and be related to the job sizing toolkit which will determine the salary of all new PT posts. The remit also makes specific reference to the 35 hour week and the need for all duties to be able to be carried out within this contractual time.

The Job Remit was agreed by the LNCT at its meeting on 18 March

A copy of the remit has been sent to your rep along with this update.

The remit applies to Primary and Secondary PTs. Negotiations are continuing with the Authority on the appointment of PTs in the Primary Sector. These negotiations cover management time for HTs and DHTs as well as the new PT posts.

APPOINTMENTS PROCEDURES

This is an important agreement as it protects members who currently hold PT posts. The agreement relates only to Principal Teacher posts in Secondary schools. A similar agreement will be negotiated for the new PT posts in Primary Schools.

A copy of the agreement has been sent to EIS reps with this update but Headteachers have also been instructed to ensure that all current promoted postholders are given a copy.

The agreement covers the areas of:

- Matching
- Eligibility for the new posts
- Transitional arrangements

"Matching" is the procedure which allows current PTs, whose post is unaltered in any new structure, to continue with their duties without applying for their "own post". All conservation rights associated with the current post are maintained. This would not have been the case without matching. [Any current PT who applies for and is appointed to a new post relinquishes the conservation rights associated with their current post]

In practice there are likely to be few posts that are unaltered in the curriculum areas and so matching in will not be relevant for most PTs (Curriculum). In the case of PTs (Guidance) it is likely that matching will be more common, allowing many such PTs to continue with their Guidance duties in the new structure without prejudice to their salary. Importantly we have successfully negotiated that no PT will be matched against their will. Such PTs will be able to continue to carry out their duties within the any new structure under the same conditions as present

In the first instance new PT posts will be advertised within the school and all current PTs and Acting PTs along with former APTs and STs will be eligible to apply. Members should however be aware that should they be

successful they will move to the salary of the new post and not have the conservation rights of their old post. All conservation rights are now "three year cash conservation" only. Any member wishing advice on this should contact me.

If no appointment is made at this stage then the post will be open to all teaching staff in the school. Thereafter adverts may be placed within the Highland Council area and beyond.

No current PT is under any obligation to apply for a new post. Any postholder who does not apply or is unsuccessful will remain in his/her current post with associated salary and conservation rights. If a new PT is appointed then the duties of the current postholder will be commensurate with the duties of the new PT and the amount of time available.

All new PT posts (including matched ones) will carry management time up to 0.5

The cost of running a double system as described above is high and it is likely that many of the posts in the new structure will not be filled immediately or indeed for some years. This will be influenced by the number of current PTs who do not wish to apply for a new post and the number who have accepted early retirement packages.

In the meantime it has been agreed that acting PT appointments which were due to terminate in June may continue until May 2005 if necessary.

DISCIPLINE AND GRIEVANCE PROCEDURES

These two agreements have been the subject of negotiations over the last year. Finally on 18 March they were agreed at the LNCT. Hopefully very few members will require to be familiar with these procedures! They are based on frameworks issued by the national negotiating body.

I hope this update clarifies the current situation across a range of issues. It has not been an easy time for us but you can be assured that unlike some unions who have resigned from the LNCT or have refused to negotiate on certain issues, the EIS will continue to represent members in Highland and obtain the best agreement possible

I would draw your attention to the national EIS website at www.eis.org.uk which contains information relevant to members. There is also a local highland site at www.highlandeis.org.uk which can also be accessed from the national page. It is intended that the local site will contain all local agreements and policies.

I can also be contacted during school hours at 01349884750 and in the evenings at 01349884047. My e-mail address is astewart@eis.org.uk and I can also be e-mailed at Andrew.Stewart@highland.gov.uk . Please do not use the first class address as I rarely access it!

Andrew Stewart

LA Secretary and Joint Secretary, Union Side, LNCT

5 April 2004