

JS/11/26

12th July 2011

Dear Colleague

Advice on Mechanisms to Minimise Costs in Relation to Conservation

The conservation arrangements set out in the SNCT Handbook Part 2, Section 1 have been amended following the SNCT Agreement on Pay and Conditions (SNCT Circular 11/26).

As part of that agreement the SNCT is required to provide advice to Councils on minimising costs in relation to conservation. In March 2005, the SNCT Joint Chairs issued advice to Councils on the cessation of posts following management restructuring or school rationalisation. At that time the legislation regarding the redeployment of promoted post holders was under consideration.

The SNCT advises that there is no statutory bar to the redeployment of promoted post holders to commensurate posts should their substantive posts cease. Councils are reminded that there must be a period of consultation with the Parent Council should the redeployment of a Headteacher or Depute Headteacher be required. This is in line with Regulations 4 and 5 (3) of the Parental Involvement in Headteacher and Deputy Headteacher Appointments (Scotland) Regulations 2007.

The SNCT exhorts Councils to use their best endeavours to manage the process of change. This will require working with trade unions through LNCT structures on the impact on promoted post holders arising from

- (i) School rationalisation
- (ii) Management restructuring
- (iii) Job sizing and re-sizing

Councils should consider the following measures

- (i) **“Redeployment”** – Where a conservation issue can be resolved by redeploying a promoted post holder into a vacant post to reduce conservation costs. A redeployment does not interfere with salary conservation arrangements as set out in the SNCT Handbook, Part 2, Section 1, paragraphs 1.67-1.71. Post holders should be reminded of the provisions of Part 2, Section 1, paragraph 1.66(b) of the Handbook.

- (ii) “Ring fenced” interviews – Where conservation costs can be minimised by limiting application to promoted posts to conserved promoted post holders in the first instance.
- (iii) “Commensurate” duties – A conserved post holder can be allocated additional duties commensurate with their conserved salary. In some circumstances it may be possible to consider duties across schools or at Council level in dialogue with the post holder.
- (iv) Premature retirement – Early release under PRC arrangements or buying additional pension could allow posts to be freed up or to allow conserved post holders to retire early.
- (v) Voluntary severance – Voluntary severance may be considered.

The Council will have to ensure that there is dialogue with each post holder when conservation issues arise. Policy papers setting out changes arising from management restructuring and from school rationalisation should make reference to managing the personnel issues relating to conservation.

Yours sincerely

Tom Young (Employer’s Side)
Drew Morrice (Teachers’ Panel)
Stephanie Walsh (Scottish Government)

Joint Secretaries