

ANGUS JOINT NEGOTIATING COMMITTEE FOR TEACHERS

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27 April 2023

Dear Colleague

AJNCT/29 (Amended)
PROCEDURES FOR DEALING WITH HEAD TEACHER COMPETENCE
AJNCT/30 (Amended)
PROCEDURES FOR DEALING WITH DEPUTE HEAD TEACHER AND PRINCIPAL
TEACHER COMPETENCE

These agreements were originally ratified in August 2016. These agreements on Procedures for Dealing with Head Teacher, Depute Head Teacher and Principal Teacher Competence have now been updated to reflect other agreements relating to teacher competence.

These amendments to the local agreements were approved by the Angus Joint Negotiating Committee for Teachers at its meeting on 8 December 2022, and subsequently ratified by the Staffing Sub-Committee on 25 April 2023.

Yours sincerely

JIM HAMMOND
MIKE CALLAGHAN

Joint Secretaries

Enc.

cc: Chief Executive
Director of Education and Lifelong Learning and Chief Education Officer
Director of HR, Digital Enablement and Business Support

ANGUS JOINT NEGOTIATING COMMITTEE FOR TEACHERS

PROCEDURES FOR DEALING WITH HEAD TEACHER COMPETENCE

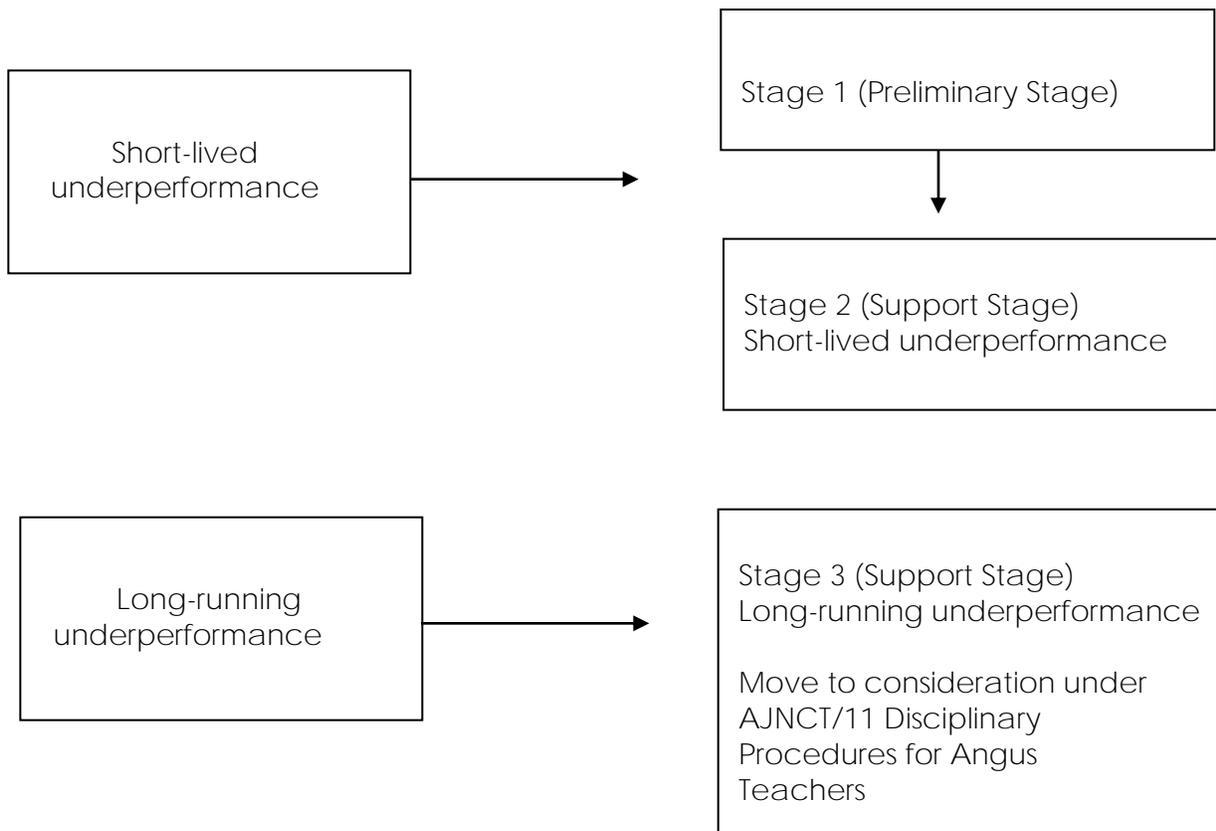


Introduction and Scope

This procedure is specific to addressing alleged underperformance of the administrative and/or management duties of Head Teachers. It explains the steps in the process for dealing with cases of both short-lived and long-running underperformance.

Separate to this procedure is the [General Teaching Council Scotland \(GTCS\) Code of Practice on Competence](#) which is used to address concerns relating to the performance of teaching ability and is linked to the GTCS Standard for Full Registration.

There are 3 stages in the procedure for dealing with Head Teacher performance:



At all stages the Head Teacher should be encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

Definition of Competence

Competence is defined in terms of the performance of duties of promoted staff, as detailed in the Scottish Negotiating Committee for Teachers (SNCT) Handbook, [Part 2, Section 2](#):

The Role of the Head Teacher

The role of the Head Teacher is to promote high quality learning and teaching to secure improved educational outcomes for the benefit of pupils and the community, under the direction of the local Council. Head Teachers have a corporate responsibility to contribute to an agenda of ongoing improvement in their school and across their Council area. The duties of the Head Teacher are to:

- (a) provide leadership, good management and strategic direction to the school;
- (b) promote high expectations and standards through the provision of professional advice, reviewing professional needs and performance, and supporting continuous professional development of colleagues;
- (c) take responsibility for providing strategic leadership for curriculum development, learning and teaching and meeting **learners'** needs;
- (d) take overall responsibility for improvement planning and quality assurance;
- (e) act as adviser to the Parent Council and to participate in the selection and appointment of the staff of the school;
- (f) work in partnership with parents, other professionals, agencies and other schools; and
- (g) take overall responsibility for the management of health, safety and well-being

The [GTCS Standards for Leadership and Management](#) supports the self-evaluation and professional learning of those in, or aspiring to, formal leadership roles in schools. This document can provide a context for engaging in professional dialogue about developing and expanding the skill set of Head Teachers.

Professional Conduct

Should a senior manager determine the issue may be one of inappropriate professional conduct then AJNCT/11 Disciplinary Procedures for Angus Teachers must be followed. The [GTCS Code of Professionalism and Conduct](#) sets out the key principles and values for registered teachers, ensuring the boundaries of professional behaviour and conduct are clear.

Stage 1 (Preliminary Stage)

Underperformance should be dealt with, at least in the early stages, through the use of informal advice, guidance and counselling. It is essential that concerns of this nature are fully discussed and that support is provided with the objective of encouraging and helping the Head Teacher to improve. Holding informal discussions can resolve many issues in the first instance.

Preliminary discussions are used to talk through the nature of the concern(s), determine the cause and agree how to address the issues and review progress appropriately based on the individual circumstances. During these informal discussions the Head Teacher should be encouraged to participate fully in identifying the causes of the underperformance and suggesting possible remedies. Advice and guidance should be offered to support improvement.

Should health concerns or other sensitive issues arise as a potential contributory factor, the line manager should access advice from Human Resources.

Although the Preliminary Stage does not form part of the Disciplinary Procedures for Angus Teachers – AJNCT/11, the Head Teacher should be made aware of the potential for matters to progress to formal procedures and that reliance may be placed upon evidence gathered at the preliminary stage. Meetings and action points at the preliminary stage should be documented.

The line manager will act accordingly to decide whether the matter is an issue of competence or one relating to professional conduct. Where, through informal discussion, improvements have been achieved to the required standard, no further action will be taken.

It is important that a reasonable length of time is given for the teacher to reach the required standard. However where improvements have not been achieved to the required standard, consideration will be given to move to Stage 2 of the procedures.

Stage 2 (Support Stage) Short-lived underperformance

The Support Stage Short-lived underperformance does not form part of the Disciplinary Procedures for Angus Teachers – AJNCT/11 however the Head Teacher should be made aware of the potential for matters to progress to disciplinary procedures and that reliance may be placed upon evidence gathered at both the preliminary stage and the support stage. It is assumed, at this stage, that the issue is one of short-lived underperformance.

Short-lived underperformance can be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the Head Teacher.

Where health issues are a factor, the council's Occupational Health process must be accessed at an early stage in discussion with HR.

Head Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

- 1) Initial Meeting – Agree areas of concern to be addressed. Agree an action plan to meet the specific concern(s) and timescales

At the first formal meeting there should be a professional dialogue between the senior manager and the Head Teacher to discuss identified areas of underperformance. During this discussion the Head Teacher should be encouraged to participate fully in identifying the causes of the underperformance and suggesting possible solutions. Advice and guidance should be offered to support improvement which may include a planned programme of professional development.

Possible support may include some or a combination of the following professional learning strategies:

- review/evaluate current practice related to remit;
- a period of mentoring or peer support
- review guidelines, literature and documentation;
- update/refresh knowledge and understanding
- more detailed planning;
- participate in relevant professional learning opportunities.

At the conclusion of the initial meeting the senior manager will prepare a summary document which includes the:

- specific areas of underperformance that need to be addressed linked to the GTCS Standards for Leadership and Management
- proposed mechanisms which will be put in place to support the Head Teacher
- professional development which will be undertaken;
- improvements to be made;
- timescales over which the targets are to be met;
- agreed dates for an interim and a final review meeting.

Depending on the context of the situation a reasonable length of time should be given for the Head Teacher to reach the required standard. This timescale is not normally expected to be longer than 20 working weeks.

- 2) Interim Meeting – Consider progress against the action plan

The purpose of the interim meeting is to consider progress towards the targets agreed at the first discussion. Further support may be offered to the Head Teacher to achieve these improvements if required.

- 3) Final Review Meeting

The final review meeting will be held to assess the degree of improvement against the required standard. Within five working days of the final review meeting, the Head Teacher will receive a written confirmation of the outcome.

Two outcomes are possible following the Final Review Meeting:

Outcome 1: No further action

Where improvements have been achieved to the required standard, no further action will be taken.

The proceedings will be deemed to be complete. The Head Teacher should be informed of this decision in writing.

No record will be kept on the teacher's personal file.

Outcome 2: Move to Long-running underperformance

Where improvements have not been achieved to the required standard, the Head Teacher should be informed that the matter will move to Stage 3 (Support Stage)

Long-running underperformance.

The concern is now considered to be long-running underperformance.

This decision and the underpinning reasons should be communicated to the Head Teacher in writing.

Stage 3 (Support Stage) Long-running underperformance

At this stage, the performance gives rise to serious concern. It is considered to be long-running and although support, guidance and professional development opportunities have been offered, these measures have not resulted in the achievement of the necessary improvements to the standard required.

A statement should be produced by the senior manager outlining:

- Details of the Head Teacher's alleged failure to perform to the standards required linked to GTCS Standards for Leadership and Management;
- The specific duties which it is alleged have not met the required standards;
- A summary of the information gathered at the preliminary stage;
- The duration of Stage 2;
- The level of performance at the start of Stage 2;
- The performance at the end of the Stage 2;
- The support mechanisms and professional development offered to the Head Teacher throughout the process.
- Head Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

The statement will be passed to the relevant senior officer for consideration in accordance with AJNCT/11 - Disciplinary Procedures for Angus Teachers.

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PROCEDURES FOR DEALING WITH DEPUTE HEAD TEACHER AND PRINCIPAL TEACHER COMPETENCE

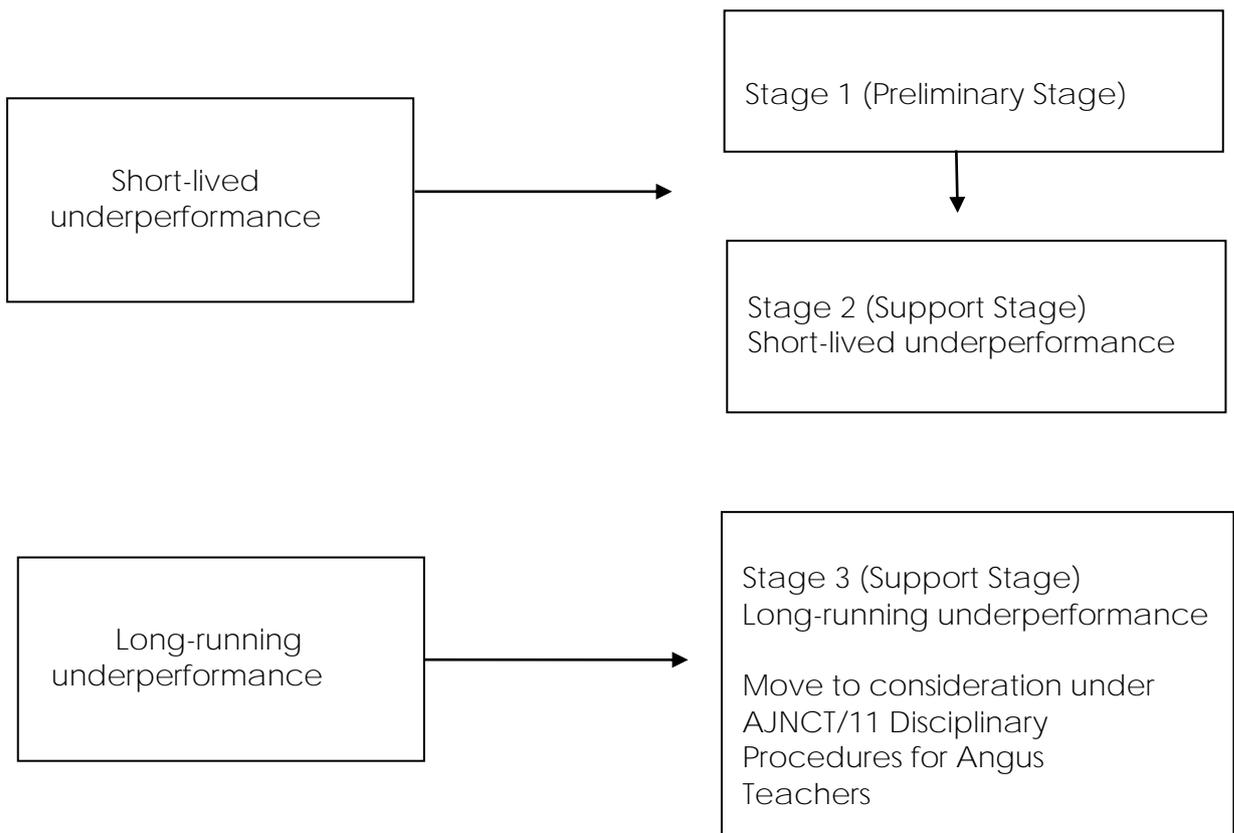


Introduction and Scope

This procedure is specific to addressing alleged underperformance of the administrative and/or management duties of depute Head Teachers and Principal Teachers. It explains the steps in the process for dealing with cases of both short-lived and long-running underperformance.

Separate to this procedure is the [General Teaching Council Scotland \(GTCS\) Code of Practice on Competence](#) which is used to address concerns relating to the performance of teaching ability and is linked to the GTCS Standard for Full Registration.

There are 3 stages in the procedure for dealing with depute Head Teacher (DHT) and Principal Teacher (PT) performance:



At all stages the teacher should be encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

Definition of Competence

Competence is defined in terms of the performance of duties of promoted staff, as detailed in the Scottish Negotiating Committee for Teachers (SNCT) Handbook, [Part 2, Section 2](#):

The Role of Principal Teacher

- 2.10 Subject to the policies and practice of the School and the Council, the duties of Principal Teachers are, in addition to any duties of a teacher that may apply, to:
- (a) lead, manage and support the work of colleagues providing strategic direction and guidance as necessary;
 - (b) lead curriculum development and quality assurance;
 - (c) contribute to the development of school policy in relation to the behaviour management of pupils;
 - (d) review and support professional needs, and performance of colleagues through continuous professional development;
 - (e) where required, lead, implement and manage whole school policies including, where appropriate, guidance, pastoral care and behaviour support.

The Role of the Depute Head Teacher

- 2.11 The role of a depute Head Teacher is to assist and, where necessary, deputise for the Head Teacher in the conduct of school affairs. The duties of a depute Head Teacher are to support the Head Teacher in the performance of his/her duties to:
- (a) provide and promote leadership, good management and strategic direction in areas of work of the school;
 - (b) promote high expectations and standards through the provision of professional advice, reviewing professional needs and performance, and supporting continuous professional development of colleagues;
 - (c) take responsibility for aspects of curriculum development, learning and teaching and meeting **learners'** needs;
 - (d) take responsibility for aspects of improvement planning and quality assurance;
 - (e) work in partnership with parents, other professionals, agencies and other schools;

The [GTC Standards for Leadership and Management](#) supports the self-evaluation and professional learning of those in, or aspiring to, formal leadership roles in schools. This document can provide a context for engaging in professional dialogue about developing and expanding the skill set of Principal and Depute Head Teachers.

Professional Conduct

Should a Head Teacher, or other senior manager determine the issue may be one of inappropriate professional conduct then AJNCT/11 Disciplinary Procedures for Angus Teachers must be followed. The [GTC Code of Professionalism and Conduct](#) sets out the key principles and values for registered teachers, ensuring the boundaries of professional behaviour and conduct are clear.

Stage 1 – Preliminary Stage

Underperformance should be dealt with, at least in the early stages, through the use of informal advice, guidance and counselling. It is essential that concerns of this nature are fully discussed and that support is provided with the objective of encouraging and helping the PT/DHT to improve. Holding informal discussions can resolve many issues in the first instance.

Preliminary discussions are used to talk through the nature of the concern(s), determine the cause and agree how to address the issues and review progress appropriately based on the individual circumstances. During these informal discussions the PT/DHT should be encouraged to participate fully in identifying the causes of the under-performance and suggesting possible remedies. Advice and guidance should be offered to support improvement.

Should health concerns or other sensitive issues arise as a potential contributory factor, the line manager should access advice from Human Resources.

Although the Preliminary Stage does not form part of the Disciplinary Procedures for Angus Teachers – AJNCT/11, the PT/DHT should be made aware of the potential for matters to progress to formal procedures and that reliance may be placed upon evidence gathered at the preliminary stage. Meetings and action points at the preliminary stage should be documented.

The line manager will act accordingly to decide whether the matter is an issue of competence or one relating to professional conduct. Where, through informal discussion, improvements have been achieved to the required standard, no further action will be taken.

It is important that a reasonable length of time is given for the teacher to reach the required standard. However where improvements have not been achieved to the required standard, consideration will be given to move to Stage 2 of the procedures.

Stage 2 (Support Stage) Short-lived underperformance

The Support Stage Short-lived underperformance does not form part of the Disciplinary Procedures for Angus Teachers – AJNCT/11 however the teacher should be made aware of the potential for matters to progress to disciplinary procedures and that reliance may be placed upon evidence gathered at both the preliminary stage and the support stage. It is assumed, at this stage, that the issue is one of short-lived underperformance.

Short-lived underperformance can be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the PT/DHT.

Where health issues are a factor, the council's Occupational Health process must be accessed at an early stage in discussion with HR.

Depute Head Teachers/ Principal Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

- 1) Initial Meeting – Agree areas of concern to be addressed. Agree an action plan to meet the specific concern(s) and timescales

At the first formal meeting there should be a professional dialogue between the line manager and the PT/DHT to discuss identified areas of underperformance. During this discussion the PT/DHT should be encouraged to participate fully in identifying the causes of the underperformance and suggesting possible solutions. Advice and guidance should be offered to support improvement which may include a planned programme of professional development.

Possible support may include some or a combination of the following professional learning strategies:

- review/evaluate current practice related to remit:
- a period of mentoring or peer support
- review guidelines, literature and documentation
- update/refresh knowledge and understanding
- more detailed planning
- participate in relevant professional learning opportunities

At the conclusion of the initial meeting the HT will prepare a summary document which includes the:

- specific areas of underperformance which are required to be addressed linked to the GTC Standards for Leadership and Management;
- proposed mechanisms which will be put in place to support the PT/DHT
- professional development which will be undertaken;
- improvements to be made;
- timescales over which the targets are to be met;
- agreed dates for an interim and a final review meeting.

Depending on the context of the situation a reasonable length of time should be given for the DHT/PT to reach the required standard. This timescale is not normally expected to be longer than 20 working weeks.

2) Interim Meeting – Consider progress against the action plan

The purpose of the interim meeting is to consider progress towards the targets agreed at the first discussion. Further support may be offered to the middle leader to achieve these improvements if required.

3) Final Review Meeting

The final review meeting will be held to assess the degree of improvement against the required standard. Within five working days of the final review meeting, the middle leader will receive a formal notification of the outcome.

Two outcomes are possible following the Final Review Meeting:

Outcome 1: No further action

Where improvements have been achieved to the required standard, no further action will be taken.

The proceedings will be deemed to be complete. The PT/DHT should be informed of this decision in writing.

No record will be kept on the **teacher's** personal file.

Outcome 2: Move to Long-running underperformance

Where improvements have not been achieved to the required standard, the PT/DHT should be informed that the matter will now move to Stage 3 (Support Stage) Long-running underperformance. The concern is now considered to be long- running underperformance.

This decision and the underpinning reasons should be communicated to the PT/DHT in writing.

Stage 3 (Support Stage) Long-running underperformance

At this stage, the performance gives rise to serious concern. It is considered to be long-running and although support, guidance and professional development opportunities have been offered, these measures have not resulted in the achievement of the necessary improvements to the standard required.

A statement should be produced by the Head Teacher outlining:

- Details of the PT/DHT's alleged failure to perform to the standards required;
- The specific duties which it is alleged have not met the required standards linked to the GTC Standards for Leadership and Management;

- A summary of the information gathered at the preliminary stage;
- The duration of Stage 2;
- The level of performance at the start of Stage 2;
- The performance at the end of Stage 2;
- The support mechanisms and professional development offered to PT/DHT throughout the process.
- Depute Head Teachers/Principal Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.

The statement will be passed to the relevant senior officer for consideration in accordance with AJNCT/11 - Disciplinary Procedures for Angus Teachers.