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Service Children's Education

Policy

Preferential Posting Status for Mobile Specialist Grades

Effective 1 July 2013

2013

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| Title | Preferential Posting Status for Mobile Specialist Grades |
| Reference number | |
| Supersedes | All previous versions of the SCE PPS policy and procedures |
| Date of issue | <i>1 July 2013</i> |
| Implementation | <i>1 July 2013</i> |
| Review date | <i>Autumn Term 2015</i> |
| Review by | SCE Joint Negotiating Committee |
| Prepared by | AD (P&P) |
| Consultation | SCE Joint Negotiating Committee |
| Impact Assessment | This policy has been Equality and Diversity Impact assessed in accordance with the MoD's Equality and Diversity Impact Assessment Tool. |
| Supply / distribution | Available as a read-only document on the GfL, plus one hard copy to all schools and Music Centres, all JNC members, Executive Board members, Assistant Directors, and Link Inspector Advisers |
| Authorised by | Director of Education |

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PREFERENTIAL POSTING STATUS FOR MOBILE SPECIALIST GRADES

Introduction

1. The withdrawal of British Forces from Germany will result in the closure of the majority of SCE schools. Many of the staff made surplus by school closures will choose to take voluntary early release. For the remainder, it is likely that compulsory redundancies will be needed at some stage. In accordance with the MOD Agreement on Managing Staff Surpluses, SCE will make every effort to avoid or minimise the extent of any compulsory redundancies.
2. A significant means of avoiding or minimising compulsory redundancies is through the transfer of staff from closing schools into any vacancies that occur in the remaining schools. In making such transfers, it is necessary to ensure that the quality of teaching in the remaining schools can be either maintained or, where possible, further improved, thereby increasing the proportion of good and outstanding schools as judged both by internal review and OFSTED inspections.
3. This document sets out the process for enabling staff in closing schools or units to have priority for other vacancies through the use of this policy whilst at the same time seeking to maintain or improve the quality of provision.

Meaning of preferential posting status

4. Staff with PPS must be considered before all others when there is a vacancy to be filled. No other recruitment action may be taken before applications from staff with PPS have been considered in accordance with this policy.

Eligibility for preferential posting status

5. The following have preferential posting status:
 - a) staff in closing or amalgamating schools;
 - b) staff in a school or subject department that needs to lose staff, and who have volunteered for redeployment or who have been selected for compulsory redeployment;
 - c) staff in a supernumerary post;
 - d) staff who have a permanent contract with SCE but who does not occupy a permanent position in his/her present school e.g. a teacher returning from a "rest of the world" school or from a seconded post;
 - e) staff who receive salary protection and where the management interest is served by redeploying the individual into a post where the level of salary protection is reduced or eliminated;
 - f) a staff member married to, or in a civil partnership with, a UK-based individual with PPS as defined at a) – e) above, but subject to the following restrictions:

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- only after the spouse or civil partner has accepted a new post, and
 - only within the Garrison or reasonable travel to work area of the spouse's or civil partner's new school.
6. PPS will also be granted to staff in the following circumstances:
- a) to teachers in centrally-employed teams or to UK-based mobile specialist grades, e.g. Soulbury staff, Higher Level Teaching Assistants, where the requirement for their work ceases or reduces;
 - b) to individual staff members in exceptional circumstances where this is agreed after consultation with the chair of the staff side of the JNC.
7. Where a post occupied by a Soulbury grade is to be relocated to another country, and if the individual's contract of employment does not give rise to any expectation of their being posted to that country, then the incumbent would normally be offered the choice of relocating with the post or taking redundancy. Given the MOD's policy of avoiding redundancies wherever possible, the possibility of transfer to an alternative post within SCE would be explored first. In such cases, to facilitate this, the individual would be granted PPS status immediately the intention to relocate the post was declared. In all such cases management will endeavour to give 12 months notice of relocation.
8. PPS may only be used for posts commencing no more than six terms prior to the closure of the applicant's own school or business unit.

Level of post for which PPS may be used

9. PPS may only be used for posts at the same or lower substantive level as the applicant's existing substantive post.
10. For staff a post at a lower substantive level is defined as one where the pay level of the new post at the date on which it would be assumed is lower than the pay level of the PPS individual's existing post at the same date, without regard to the teacher's position on the main, upper pay or leadership spine.
11. For Headteachers, Deputy Headteachers, and Assistant Headteachers, PPS may not be used for movement to a higher grade within the Leadership Group i.e. from Deputy Headteacher to Headteacher or from Assistant Headteacher to Deputy Headteacher or Headteacher. Nor, for Leadership Group posts, may PPS be used to move to a post with a higher spine point range maximum than the maximum of the postholder's existing substantive points range. Any additional points for consortium chair, boarding or other duties will be ignored for this purpose.

Start date

12. Where the start date of the post gained through PPS is earlier than the date at which the individual would otherwise be expected to leave his/her present school (e.g. the date of the school's closure). The exact date of transfer will be decided following discussions between both headteachers and the transferee. In cases of disagreement HQ SCE will arbitrate.

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Withdrawal of PPS

13. PPS is automatically withdrawn on acceptance of a substantive post except where paragraph 6 sub-paragraph e applies, with the proviso that the cost saving resulting from the termination or reduction of salary protection must outweigh the cost of the PPS transfer.

Advertisement of posts to PPS staff

14. When a vacancy arises, the headteacher or line manager should seek approval to advertise the post in accordance with the SCE Recruitment and Selection Guidelines. Person specifications should not be constructed in such a way as to exclude PPS applicants.
15. Vacancies will be advertised by HQ SCE recruitment staff to all PPS staff, by e-mail and on the SCE Recruitment Website. The full job description and person specification will be included with the advertisement.
16. Vacancies will be opened to wider competition (either across SCE to staff who do not hold PPS, or externally in the national press) only when it is confirmed either that there are no applications from PPS staff or that no PPS staff member has been selected for the post.
17. The deadline for response from PPS staff will be specified in the internal advertisement. This will be at least five working days from the date that the post was first notified to PPS staff. However, PPS staff may sometimes be asked to indicate within a shorter period, e.g. two working days, whether they intend to apply for the post. This will help to minimise any delay in recruitment if there is no interest in the post from PPS staff. The complete process will normally be completed within 20 working days of the initial notification of the vacancy to HQ SCE recruitment.

Applications from PPS staff

18. PPS applicants must respond directly to the recruiting head of establishment, providing a letter of application relevant to the advertised post. A reference will be sought from the present headteacher or head of establishment.
19. Where there are two or more PPS applicants, the appointment will be made by competition amongst them. Staff who do not have PPS and external applicants will not be considered at this stage.

Selection process for PPS staff

20. The selection panel should include a member independent of the establishment to which the appointment will be made. This could be, for example, the head of another school, an inspector adviser, or other relevant member of HQ SCE staff.

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21. In addition to interview, the selection process will include consideration of the applicant's performance management records over the preceding two school years. PM records provided for this purpose will be treated securely and in confidence, only viewed by members of the selection panel, and returned (or destroyed, if copies provided) after use. The selection panel should take a holistic view of the applicant's performance and suitability for the advertised post, not relying narrowly on the lessons observation or atypical elements within the applicant's performance management records. The selection panel can decide to include a lesson observation if the PM paperwork does not include lesson observation reports.
22. Where there is a single PPS applicant, the composition of the selection panel and the selection process will be the same as that described at paragraphs 19 and 20.
23. In the majority of cases, an PPS applicant will be appointed. However, the selection panel has the right not to appoint an PPS applicant if there is clear and substantial evidence demonstrating that the applicant does not meet the requirements of the post, with particular emphasis (for teaching posts) on the quality of teaching. The right not to appoint a PPS applicant applies even where there is more than one applicant provided that the selection panel concludes that none meet the requirements of the post.
24. PPS applicants must not be rejected on any legally prohibited discriminatory grounds e.g. the sex or age of the applicant. Nor, if there is only a single PPS applicant, must such an applicant be rejected simply to allow choice from a wider field.
25. The selection panel should not reject a PPS applicant based on too narrow a view of the applicant's skills and experience. Person specifications should not be constructed in such a way as to exclude PPS applicants. The selection panel should take into account the possibility of training to address any gaps in the applicant's skills and experience provided that this is reasonable in all the circumstances and likely to achieve the desired result within an appropriate timeframe. If the cost of such training is an issue, this should not be used as the basis for refusing an PPS applicant without reference to the SCE budget manager.
26. The selection decision should be formally conveyed to the applicant(s) by the chair of the panel as soon as possible after the panel has concluded its deliberations, and within two working days at the latest. If there are several applicants and none are successful, the chair of the panel should confirm who came closest to being appointed (as it is only this applicant who has a right of appeal).

Right of appeal

27. An unsuccessful PPS applicant has the right of appeal to an independent panel. The panel will comprise: a member of HQ SCE staff at Assistant Director level or above, the headteacher of a school of similar type but in a different area, and one JNC staff side representative from a professional association other than that of which the appellant is a member. The HQ SCE panel member will act as chair. The Director of Education will nominate the HQ SCE panel member. For staff not employed by a school, the Director of

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Education will nominate a second member of HQ SCE staff at Assistant director level or above to take the place of the headteacher representative.

28. A PPS applicant who wishes to appeal against non selection should signify this in writing to AEO (Recruitment) at HQ SCE within two working days of notification from the chair of the selection panel. Arrangements for the appeal will be made by AEO (Recruitment) in consultation with the chair of the appeal panel.
29. The appellant will be invited to set out his/her grounds for appeal in writing in advance of the meeting, giving sufficient time for the chair of the selection panel, as respondent, to consider them and to enable the respondent to provide a written submission to the panel. Appeals will only be considered on grounds of alleged failure to follow the process set out in this policy.
30. The appeal will be dealt with entirely on the basis of a written appeal and response from the chair of the selection panel. The appeal process will be completed no later than 10 working days from receipt.

Staff subject to restoring efficiency procedures

31. PPS status will not be granted to a member of staff who is subject to restoring efficiency procedures for unsatisfactory work performance or attendance, and will be withdrawn from one who becomes subject to such procedures after PPS has been granted. This applies to any staff member who has had a first or subsequent warning confirmed in writing and who is in the warning monitoring period. The placement at another school or establishment of any member of staff who has had a first or subsequent warning will be determined by HQ SCE. Placement at another school will initially be on a supernumerary basis. In determining the placement of such a teacher, the ability of the receiving school to provide the necessary level of support will be the prime factor taken into account. The wishes and circumstances of the teacher will also be taken into account.

Staff failing to secure a post

32. Staff failing to secure a post 12 months prior to closure will be invited to apply for SCE VERS. If they do not apply and if no other resolution has been reached by that stage, staff will be informed nine months prior to closure of their selection for compulsory redundancy.
33. Staff under notice of compulsory redundancy retain their right to apply for other posts with PPS status up to the effective date of termination.