

Headteacher/ Teacher JCC – 19 March
Report: Transfer of Employment Rights for teachers moving from
Academies to Local Authority Maintained Schools

1 Background

Under Green Book conditions, School support staff who transfer to an academy and who subsequently go back to work in a maintained school keep their employment rights such as Maternity and Redundancy.

There is however no contractual provision, specified in School Teachers Pay and Conditions, for teachers who opt to return to a mainstream school. In this case they would lose some of their employment rights.

2. Key Issues

2.1 The recognition of continuous service for teachers would impact on a range of conditions of service issue including maternity and redundancy

2.2 All monies to pay for maternity are de-delegated from maintained schools, and held in the Central Schools budget.

Whilst the Local Authority may wish to recognise service for the purposes of maternity, having investigated the decision making process this should also include the views of schools and the School Forum.

3. Recommendation

3.1 The Schools HR team investigate whether other local authorities are recognising continuous service for teachers

3.2 The views of schools and the Schools Forum are sought

3.3 That a report is brought back to the JCC prior to a decision by Council

Sue Blevins / Andrew Roberts
19th March 2015