

# **PROCEDURE FOR THE IDENTIFICATION AND PLACEMENT OF TEACHERS DUE TO DISPLACEMENT**

## **PREAMBLE**

Schools determine their educational and related staffing needs at the beginning of each year or semester. These needs are determined by the Principal in consultation with the General Manager Schools, staff and school community through the School Council. They are also reflected in schools' Action Plan for School Improvement.

The application of the Agency's staffing formula determines the number of Teachers to be allocated to a school. On occasions this will mean that a school's allocation will be reduced, ie that some staff will be displaced.

Teachers affected by displacement will be treated fairly and equitably. It is therefore important that displacement transfer procedures be applied uniformly across the system. The Agency recognises that displacement may cause difficulties for some Teachers and will seek to minimise its effects wherever possible.

Displacement transferees shall continue to receive personal and professional support arising from their placement. With the exception of teachers in receipt of salaries that include higher remuneration for different working conditions, such as those at Centralian College, displacement transferees will not suffer a reduction in salary unless the Redeployment and Redundancy Award procedures are invoked. Transferees shall be entitled to all allowances relevant to their new position but shall not be entitled to allowances that related only to their previous position.

Displacement transferees in receipt of salaries which include higher remuneration for different working conditions will be paid the salary entitlement equivalent to that of teachers at the same category and years of service levels working under normal school conditions.

Prior to the initiation of the displacement process the Agency will determine teacher staff requirements at all government schools. In the context of this process the need for displacement may arise due to a number of circumstances including, application of the staffing formula, changed student and subject demands and needs and priorities of the school.

In schools so affected the Principal is required to notify the AEU-NT sub-branch that displacement of teacher(s) will be necessary and, when decided, the Teacher(s) to be displaced. In the case of small schools the appropriate General Manager Schools is required to inform the AEU-NT Branch office.

The displacement transfer process has two elements, displacement and placement, and will be implemented in accordance to the following:

## **DISPLACEMENT**

1. When the system wide staffing needs have been identified the General Manager Schools will advise the staffing units of vacancies within their respective clusters.
2. Schools affected by displacement will be provided with lists of all teaching vacancies.
3. Volunteers for displacement transfer shall be called for before the process is to be applied to teachers not volunteering.
4. Such schools will identify teaching areas that will need to reduce their staff and initially ask for volunteers for displacement transfer from these areas only.
5. Teachers not volunteering must be given written notification of their displacement as soon as possible.
6. Volunteers will need to state their preferences for placement in order of priority. It should be noted that volunteers will not be automatically transferred but will be considered before other staff.
7. Volunteers for displacement transfer will be accorded priority for suitable placement to vacancies in other schools giving due regard to the volunteer's preferences, subject specialisation and specialist teaching skills and in accordance with the priority needs of the school program. Wherever possible any mitigating personal circumstances will be taken into account.
8. In the event there are more volunteers than required, or insufficient volunteers, the Principal of the school or, in the case of small schools, the Group School Principal will make the initial selection based on the following criteria in order of priority:
  - 8.1 The education and staffing needs of the school.
  - 8.2 Within the identified teaching areas, the most recently recruited teacher(s) to the school will be those identified for displacement noting the following points:
    - 8.2.1 Temporary teachers are to be identified for displacement transfer prior to permanent teachers.
    - 8.2.2 Generally teachers transferred through displacement within the previous five years after permanent placement, will be exempt from further displacement transfer within this time frame. Only in the most extreme circumstances should displacement occur within this time frame.
    - 8.2.3 Permanent teachers on various forms of leave and those on temporary transfer or temporarily occupying promotion position shall be entitled to be involved in accordance with these procedures.

- 8.2.4 In the event of the process not operating satisfactorily, the Agency will seek to resolve problems in the first instance. Failing resolution, employer/union representatives will seek to resolve the issue in consultation. In the event of this being unsuccessful the displaced Teacher will have the right to pursue a Review of Grievance under Section 59 of the *Public Sector Employment and Management Act*.
9. The Agency will be responsible for locating suitable placements and displacement transferees will be encouraged to assist in the process.
  10. Where it is unlikely that a displaced Teacher will be suitably placed within twelve months, or has not been permanently placed after twelve months, the Agency may seek to invoke the provisions of the Redeployment and Redundancy Award or revoke the teacher's displaced status.
  11. Advice and counselling will be available from the Agency, on request, to Teachers volunteering or identified for displacement transfer.
  12. The Agency will provide written advice to voluntary/involuntary displacement transferees that will include details of their status and their rights as displacement transferees and of the displacement process.

## **PLACEMENT**

Other than Teachers identified as excess, potentially excess or displaced from a previous date, displacement transferees will have the highest priority for placement and shall be informed of all vacant teaching positions with a view to stating preferences for placement.

1. The Agency will advise the displacement transferee of intended placement giving reasons for the placement.
2. The Agency will consult with any teacher before placing said teacher in a position that would result in a geographic relocation away from the teacher's household.
3. Displacement transferees who are aggrieved by the placement action may exercise their rights to a Review of Grievance under Section 59 of *The Public Sector Employment and Management Act (1993)* providing that dispute settlement procedures as set out in clause 7.2.4 above and the dispute settlement procedures in the Award have been exhausted.
4. Wherever possible the transfer of a permanent teacher will be to a permanent position.

## FOR FURTHER INFORMATION

- NTPS 2005 – 2007 Teachers and Educators Certified Agreement – Clause 20  
[www.nt.gov.au/ocpe/eba/2005\\_teachers](http://www.nt.gov.au/ocpe/eba/2005_teachers)
- NTPS 2004 – 2007 Certified Agreement – Clause 17  
[www.nt.gov.au/ocpe/eba/200501\\_ntps](http://www.nt.gov.au/ocpe/eba/200501_ntps)
- Public Sector Employment and Management Act – Section 35  
[http://www.nt.gov.au/ocpe/public\\_sector/psem\\_act.shtml](http://www.nt.gov.au/ocpe/public_sector/psem_act.shtml)
- [www.nt.gov.au/ocpe/appeals\\_grievances/grievances.shtml](http://www.nt.gov.au/ocpe/appeals_grievances/grievances.shtml)