

Education Bureau Circular No. 10/2017

Optimising the Use of Teaching Manpower Resources

[Note: This circular should be read by –

- (a) Supervisors and Heads of aided schools – for necessary action;
- (b) Supervisors and Heads of government, caput, Direct Subsidy Scheme and private schools – for information and necessary action where appropriate; and
- (c) Head of Sections – for information]

SUMMARY

The purpose of this circular is to issue guidelines on optimising the use of teaching manpower resources (Guidelines) and appeal for the cooperation of schools in providing a suitable and stable working environment for their teachers in accordance with the Guidelines. Schools are also advised to submit the information of teachers and teaching assistants to the EDB. This circular supersedes Education Bureau Circular No. 9/2016 dated 17 August 2016.

DETAILS

2. The Education Bureau (EDB) attaches great importance to providing a stable working environment for teachers so as to raise their professional standards and morale which are conducive to the delivery of quality education. All along, apart from providing public sector schools with teachers on regular teacher establishment according to the prescribed teacher-to-class ratios (T/C ratio), number of approved classes and various specific programmes (for instance, provision of additional graduate teachers to support academically low achievers and primary school curriculum leaders to coordinate curriculum), the EDB also provides various cash grants for supporting school development. Such arrangements are capable of maintaining a stable teaching force in public sector schools, while allowing schools the flexibility to deploy their resources.

In accordance with the spirit of school-based management, schools may use cash grants in the light of their own school-based situation and students' needs for employing additional teaching or ancillary staff, hiring outside services and/or procuring learning and teaching resources to meet their development needs at different stages in order to enhance the quality of learning and teaching in a more effective way.

3. The EDB would regularly review the provision of teaching manpower resources for schools and make appropriate adjustment. Starting from the 2017/18 school year, the current T/C ratio for public sector primary and secondary schools (including special schools) will be increased by 0.1 across the board to provide additional teaching staff for schools to take forward various education initiatives and enhance the quality of education. All the teaching posts to be created under this initiative are graduate posts. At the present stage, they will not be counted towards the ratio of graduate teacher posts and the calculation of the promotion post entitlement. To provide a stable teaching force, schools are required to fill the newly created teaching posts substantively by surplus teachers of their schools, existing contract teachers or other suitable candidates subject to consideration of their merit and suitability for the posts¹. Schools are not expected to freeze these posts to obtain a cash grant. In tandem, the EDB will provide additional teaching staff, allied health staff and resources to special schools. These include the provision of an Assistant Primary School Master/Mistress (Curriculum Development) to special schools that operate less than 6 approved classes. Moreover, the EDB will regularize the pilot project under the Community Care Fund on special educational needs coordinators (SENCOs). By phases in three years starting from the 2017/18 school year, each public sector ordinary primary and secondary school will be provided with an additional teaching post for assignment of a designated teacher to serve as SENCO to support integrated education.

4. Schools may use cash grants to employ contract teachers under their respective employment terms. Although these contract teachers are teaching staff outside the regular teacher establishment, they equally shoulder the important responsibility of educating our students. We have always been

¹ According to the prevailing practice, schools can follow their school-based mechanism to select suitable teachers to fill the newly created graduate posts, including regrading qualified non-graduate teachers to graduate teachers. In such case, schools should also fill the vacant non-graduate posts arising from the regrading arrangement by surplus teachers of their schools, existing contract teachers or other suitable candidates subject to consideration of their merit and suitability for the posts.

encouraging schools to fulfil their obligations as good employers by giving full consideration to the pay level and work conditions applicable to comparable posts when determining the remuneration of contract teachers. This is to ensure that contract teachers are offered remunerations that commensurate with their duties. When appointing teachers on contract terms, schools are encouraged to follow the same pay scale of the regular teachers, provide them with similar leave entitlement and opportunities for receiving professional training. In this connection, schools should establish an open, fair, evidence-based and transparent school-based mechanism following objective criteria, sound and proper selection procedures for filling the vacant teaching posts within the regular teacher establishment, which include the additional teaching posts provided by the enhanced T/C ratio and other measures in the 2017/18 school year so that suitable contract teachers may be appointed as regular teachers.

5. To reduce teachers' workload and create more room for them to enhance teaching effectiveness and quality of education, the EDB provides schools with various cash grants. Some of them can be used for the appointment of teaching assistants, for example, schools can use the Capacity Enhancement Grant to appoint teaching assistants to assist teachers in preparing teaching materials and performing other teaching related duties. Moreover, schools can also use the Learning Support Grant to appoint teaching assistants to assist teachers in providing additional group training or individual remedial support and after-school guidance for students with special educational needs, etc. In general, schools may assign suitable work for teaching assistants according to the ambit of the related grants and their own school-based needs. While we note that some schools may devise different post titles for staff employed with their own funds, schools are advised to appoint contract teachers if such posts are related to teaching instead of appointing ancillary staff² (including teaching assistants) to take up teaching duties.

6. Generally speaking, schools understand their responsibility of being good employers and observe the principles of making good use of the resources

² In principle, schools should not appoint ancillary staff to take up teaching duties. Nevertheless, teacher education universities generally require those who are pursuing part-time in-service teacher education programmes to be engaged in education work. We understand that there are teaching assistants pursuing part-time teacher education programmes who request schools to arrange a small number of lessons for them to complete the teaching practicum. Under such special circumstances, in the light of the staff's career development needs, schools may allocate them a small number of lessons for completing the programmes as far as practicable.

provided by the EDB, such as providing reasonable conditions of service and work arrangements to contract teachers upon their appointment. To raise the staff morale, schools are advised to maintain good communication with the staff concerned over the appointment matters by taking note of their career development needs, and appoint suitable contract teachers as regular teachers in an orderly manner while fulfilling the principles stated in paragraph 4 above.

7. For the appointment of school staff, schools may refer to EDB Circular No. 5/2005. As regards the appointment of teaching and non-teaching staff by using various cash grants, schools may refer to the relevant paragraphs on good employer in the yearly EDBCM regarding Operating Expenses Block Grant, Expanded Operating Expenses Block Grant and Composite Furniture and Equipment Grant for Aided Schools (the current EDBCM No. is 114/2016). We would also like to solicit the full cooperation from schools in making proper use of their teaching manpower resources in accordance with the Guidelines on “Optimising the Use of Teaching Manpower Resources” as set out at Annex to provide reasonable remunerations and appropriate support for their teaching staff.

Report and Update the Information of Teachers and Teaching Assistants on the “e-Services Portal”

8. For teaching staff, schools are required to create accounts on e-Services Portal (“the Portal”)³ for all monthly-paid teachers (including regular and temporary teachers paid by Salaries Grant, contract teachers paid by government funds or other funding sources). Based on the actual position, schools have to timely report and update information of teachers via the Portal. Such information includes the subjects taught, teaching load and its percentage of a full-time job, etc. Schools should also report the information of all teaching assistants. School principals are requested to remind their teachers and staff concerned of the importance of reporting and updating the relevant information so as to ensure the completeness of data in the Portal. In addition, schools should make good use of such information for reviewing and analysing their teachers’ professional background and teaching experience so as to facilitate their school-based management and planning of teaching manpower resources as well as enhancing teacher professional development which are conducive to the delivery of quality education for students. The EDB also

³ For details, please refer to EDB Circular Memorandum No. 103/2017 “e-Services Portal – Management of Teachers’ Personal Profiles: Updating Exercise for the 2017/18 School Year and Briefing on Enhancements of e-Services Portal”.

provides training programmes that are available for teaching assistants. Upon the creation of Portal accounts, the staff concerned can log on to the EDB's "Training Calendar" to enrol for suitable professional development programmes and create or update their "Teacher Profile" for planning and tracking their own professional training and development.

ENQUIRY

9. For enquiries, please contact the respective School Development Officers.

Benjamin YUNG
for Permanent Secretary for Education

**Guidelines on
Optimising the Use of Teaching Manpower Resources**

Contract teachers outside the approved establishment

1. When using cash grants to employ teaching staff, schools should appoint contract teachers to take up teaching duties. In general, ancillary staff (including teaching assistants) is deployed to assist in designing and preparing teaching aids, coordinating and/or leading activities, rendering clerical support, providing individual or remedial group support after school etc. Schools should not appoint ancillary staff (including teaching assistants) to take up teaching duties¹. When appointing teachers or ancillary staff, schools should adopt appropriate post titles to clearly reflect the job nature.
2. If the teaching load, number of teaching periods, subjects, levels and number of classes to be taught, as well as other duties of the contract teachers are comparable to those of regular teachers at corresponding ranks, schools should make reference to the qualifications and experience of the contract teachers and provide them with reasonable salaries and leave benefits (including sick leave). Schools should also adhere to the same mechanism when dealing with work arrangements on non-school days for both contract and regular teachers.
3. Schools should assign reasonable workload and duties to contract teachers, provide them with opportunities for appropriate training and professional development, as well as putting in place suitable appraisal arrangements.
4. When employing contract teachers with recurrent grants (e.g. Capacity Enhancement Grant) or grants for specific project/initiative, schools should, as far as possible, appoint them for the entire school year and, according to the schools' human resource planning, make an endeavour to

¹ In principle, schools should not appoint ancillary staff to take up teaching duties. Nevertheless, teacher education universities generally require those who are pursuing part-time in-service teacher education programmes to be engaged in education work. We understand that there are teaching assistants pursuing part-time teacher education programmes who request schools to arrange a small number of lessons for them to complete the teaching practicum. Under such special circumstances, in the light of the staff's career development needs, schools may allocate them a small number of lessons for completing the programmes as far as practicable.

offer contracts for a longer term.

Employment of regular teachers with defined contract period

5. Regular teachers employed with defined contract period are within the approved establishment, with salary and leave benefits, including contribution to the Grant/Subsidised Schools Provident Fund, and terms of employment and dismissal not different from those of regular teachers. As such, the employment of these teachers should also comply with the requirements in the Codes of Aid and other relevant ordinances/regulations.
6. Unless schools have genuine needs and justifiable reasons, they should not employ regular teachers with defined contract period. More importantly, schools should not use this mode of employment as a means of personnel management.
7. According to the Codes of Aid, regular teachers on first appointment to an aided school should normally serve a probationary period of two years. Hence, it is unnecessary for schools to employ regular teachers with defined contract period for the purpose of trying out whether they are suitable for long-term employment.

Temporary teachers

8. Under normal circumstances, schools should not employ temporary teachers on a full-year basis to fill vacant teaching posts within the approved establishment. Schools should appoint regular teachers to fill such vacancies instead.

Optimising the use of teaching posts within the approved establishment

9. At present, schools may opt for a cash grant by freezing up to 10% of their teaching posts on the approved establishment. This aims to provide schools with better financial support and greater autonomy so that they have more flexibility in making plans for manpower deployment, arranging their staff to receive professional training, organising learning activities for students, and employing different types of staff. To provide a stable teaching force, schools should optimise the use of the teaching posts in the approved establishment to appoint regular teachers. Unless

there is a genuine need, schools should not opt for a cash grant by freezing their teaching posts.

10. If schools freeze promotion posts (including senior teacher or deputy headship posts) for a prolonged period or freeze too many promotion posts, the middle managers of the school may need to take up excessive duty areas which may undermine management capacity, increase the workload of teachers and thus hinder the school's long-term development. To facilitate the sustainable development, schools are advised to work out a good human resources plan, train up middle managers at an early stage and duly fill up the promotion posts with suitable teachers with a view to implementing the various education initiatives of the school.
11. The Bureau appeals to all primary and secondary schools for optimising the use of the additional teaching posts provided under the enhanced T/C ratio and other measures in the 2017/18 school year. Schools should not freeze these posts in order to obtain a cash grant. Schools should fill the posts with contract teachers and redundant teachers who are currently working at the schools with a view to providing a stable teaching force and attracting young, passionate and outstanding teaching talents to join the teaching profession.
12. Schools should appoint staff paid out of Salaries Grant in accordance with the staff establishment approved by the EDB and ensure that the teacher appointment information on the Appointment Form to be submitted to the EDB tallies with the rank set out in the letter of appointment and conditions of service of the teacher concerned. Schools are not allowed to use other grants to pay additional remuneration to full-time teachers within the approved establishment for discharging extra duties because such practice violates the principles and rules governing the use of the grants provided by the EDB.

Establishment of School-based Mechanism

13. School management committees (SMCs) or incorporated management committees (IMCs) should devise manpower resources management and development plans according to the medium- and long-term manpower resources planning of their schools. We encourage schools, after fully consulting their stakeholders, to establish an open, fair, evidence-based and transparent school-based mechanism, for filling vacant teaching posts

on regular teacher establishment, including the provision of opportunities for suitable contract teachers to be appointed as regular teachers in an orderly manner following objective criteria, sound and proper selection procedures.

14. Even if schools are unable to provide opportunities for contract teachers to be converted to regular teachers or offer further appointment to contract teachers due to certain reasons, schools under the same sponsor or fellow schools under other school sponsoring bodies with suitable vacancies, may, in accordance with open, fair and transparent appointment procedures, provide opportunity for suitable contract teachers to pursue continuous development in the education sector.
15. Schools should enhance the transparency of their teaching establishment and future manpower planning so that contract teachers can have a clear understanding of the employment situation in their schools in order to facilitate them to map out their own career path.

Letter of appointment/service contract

16. The SMCs or IMCs are required to issue letters of appointment setting out conditions of service, salary scale and conditions of termination of appointment when teachers are offered appointment. To ensure that the appointed teachers are aware of their employment details in the letter of appointment, schools should set out the particulars including rank² (for instance, Certificated Master/Mistress, Assistant Primary School Master/Mistress, Graduate Master/Mistress, etc.), type (for instance, regular teacher, regular teacher with defined contract period, contract teacher, temporary teacher), full-time or part-time basis, contribution to the Grant/Subsidised Schools Provident Fund or mandatory provident fund, etc. When drafting a letter of appointment, schools may refer to the sample letter of appointment for teachers, conditions of service and letter of acceptance available on the EDB webpage (under Appointment Matters). While schools may modify the samples where necessary to suit the circumstances of individual appointment, the terms contained must be in compliance with the relevant provisions under the ordinances of Hong

² For the appointment of contract teachers, schools should determine the rank of the teachers by making reference to the qualifications and duty requirements listed in the Codes of Aid and the duties of the teachers, including teaching load, number of teaching periods, subjects, levels and number of classes to be taught, as well as other duties.

Kong, the Codes of Aid (where applicable), etc., as well as the instructions given by the Permanent Secretary for Education to schools from time to time. Moreover, before signing the service contract, schools should allow reasonable time for the teacher to read through and enquire about the contents of the letter of appointment/service contract. A signed copy of which should also be provided to the teacher for retention.

Certificate of service

17. Schools should issue to teachers (including contract teachers) leaving the employment a certificate of service stating their relevant employment details. Generally speaking, on transfer to another school, a teacher should provide the new employer with a certificate of service issued by his/her previous employer. The certificate should contain information such as the dates of employment and resignation, rank of appointment², full-time or part-time basis (for part-time job, should specify the percentage of a full-time job), source of funding, number of days of no-pay leave, etc. to enable the new employer to assess the teacher's salary, incremental date and sick leave benefits etc. accurately. Schools may refer to the sample certificate of service available on the EDB webpage and make modifications as appropriate to suit the school-based circumstances.

Education Bureau

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