

## **Arrangements for Surplus Teachers and Laboratory Technicians of Aided Secondary Schools and Special Schools in the 2018/19 School Year**

The arrangements for surplus teachers<sup>1</sup> and laboratory technicians<sup>2</sup> (LTs) of aided secondary schools and special schools for the 2018/19 school year are set out in the following paragraphs. All aided secondary schools and special schools concerned are requested to observe strictly the approved staff establishment for the 2018/19 school year, which is issued in April 2018 for aided secondary schools and special schools, and bring these guidelines to the attention of their teachers and LTs.

### **General Principle**

2. Schools are required to make every effort to absorb by themselves the surplus teachers/LTs, such as arranging voluntary job-sharing for the teachers/LTs or by using other school funds. A school sponsoring body operating more than one school should arrange to redeploy its surplus teachers/LTs to fill available vacancies in other schools under its sponsorship as far as possible.

### **Identifying Surplus Teachers/LTs**

3. If schools anticipate having surplus teachers/LTs, the School Management Committees/Incorporated Management Committees (SMCs/IMCs), in consultation with teachers and LTs, should work out a set of “school-based” criteria (e.g. school’s operational needs, subject specialties of teachers, the developmental requirements of schools, etc) which are objective, fair and transparent so as to identify the sequence of teachers/LTs to become surplus, and also for retaining them when vacancies subsequently arise.

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<sup>1</sup> If the regular teachers of a school outnumber the school’s approved teaching staff establishment due to a change in the latter, the excess regular teachers (apart from those filling time-limited posts) are regarded as surplus teachers. Surplus teachers covered by the Voluntary Optimisation of Class Structure Scheme or other relevant measures can be retained in their schools for a specified period. Please refer to the [EDBCM No. 190/2010](#) and [EDBC No. 3/2013](#) and relevant letters respectively when handling surplus teachers covered by these measures.

<sup>2</sup> Schools should read this guideline in conjunction with [EDBC No. 12/2016](#) on “Arrangements for the Provision of Laboratory Technicians from the 2017/18 School Year Onwards”.

4. The SMCs/IMCs are also required to set up an appeal mechanism to serve as an effective channel for teachers/LTs to communicate with the school management on surplus issues. School sponsoring bodies operating more than one school have the responsibility to ensure that both the criteria and the appeal mechanism are applied consistently as far as possible in the schools under their sponsorship.

5. The selection criteria and appeal mechanism should be in place, documented and announced to all teachers/LTs as early as possible. This will facilitate early identification of and notification to surplus teachers/LTs after the staff establishment for the 2018/19 school year is approved.

### **Redeploying Surplus Teachers/LTs by School Sponsoring Bodies**

6. As to the redeployment of surplus teachers/LTs, a school sponsoring body operating more than one school should arrange to redeploy its surplus teachers/LTs to fill available vacancies in other schools under its sponsorship as far as possible.

7. If the surplus teachers/LTs out-number the vacancies, the school sponsoring body should also put in place a set of criteria to redeploy the surplus teachers/LTs to fill all the vacancies available among the schools under its sponsorship based on the needs of schools. Schools should as far as possible complete the redeployment arrangements by May 2018 so as to facilitate timely application for teaching/LT posts to other schools by the remaining surplus teachers/LTs.

8. After the redeployment, if vacancies subsequently arise in schools under its sponsorship, the school sponsoring body should redeploy as far as possible its own surplus teachers/LTs that have not yet secured teaching/LT posts to fill such vacancies in schools under the same sponsorship.

9. For the surplus teachers/LTs redeployed by the SSBs to fill the vacancies in other schools under its sponsorship, the SMC/IMC can make reference to the specific internal redeployment arrangement to deliberate on whether or not to request the redeployed surplus teachers/LTs to undergo the sexual conviction record check (SCRC). Should the SMC/IMC, after a thorough deliberation, decide not to require the teachers/LTs concerned to undergo SCRC, the justifications have to be properly documented in its notes of meeting. For details of the SCRC scheme, please refer to [EDBCM No. 179/2011](#) and relevant questions and answers posted on EDB website

*(EDB Homepage → School Administration and Management → Administration → About School Staff → [Appointment Matters](#)).*

### **Appointment of Teachers/LTs on a Job-sharing Basis**

10. Subject to the needs of schools and the wish of teachers/LTs concerned, schools may arrange more than one teacher/LT to fill a teaching/LT post within the approved staff establishment. Appointment of these part-time teachers/LTs to fill teaching/LT posts at various ranks should be in accordance with the relevant Codes of Aid and the Guides to Appointment for the respective ranks currently in force. Like regular full-time teachers/LTs, regular part-time teachers/LTs within the approved teaching/LT establishment are subject to the provisions under the relevant Codes of Aid, including (a) eligibility for joining the Grant/Subsidized Schools Provident Fund or relevant provident fund schemes as appropriate, (b) entitlement of various types of leave such as paid sick leave, and (c) their relevant part-time teaching/LT experience being recognised on a pro-rata basis for incremental and promotion purposes.

### **Heads/Senior Teachers/LT I Becoming Surplus/Required to Step-down**

11. In the event that reduction of staff entitlement affects the number of senior teachers (i.e. teachers appointed at promotion ranks)/ LTI and/or the headship entitlement of a school, a school sponsoring body operating more than one school should transfer the surplus senior teachers/LTI to fill available senior teacher/LTI vacancies in other schools under its sponsorship and consider redeploying heads so that the substantive rank of the head of the school does not exceed the headship entitlement. However, for schools operated by one-school sponsors, or where there are no available senior teacher/LTI vacancies and/or vacancies of appropriate headship rank in schools under the same sponsor for redeployment, the surplus senior teachers/LTI should step down to become the lower or basic rank teachers/LTs as appropriate and the over-ranked heads should assume posts of an appropriate lower rank. If schools consider it necessary to apply to the Education Bureau for approval to retain the latest salary point of the former rank for the over-ranked staff in the 2018/19 school year, they should provide justifications to demonstrate that they are temporarily unable to rectify the over-ranked situation in the 2018/19 school year. In addition, schools should attach a concrete plan on how they would rectify the over-ranked situation. Subject to the approval of the respective School Development Sections, the stepped-down staff will be allowed to retain their pay point as at 31

August 2018 and not be granted any salary increments until they are reinstated in their former rank for normal progression along the respective salary scales. SSBs / schools should note that this exceptional arrangement is temporary in nature and it should be rectified according to the plan submitted whenever an opportunity arises. Schools are reminded to adhere to the principle of fairness in handling the work assignment of the over-ranked staff and make every effort to redeploy him/her to another school under the same sponsoring body to take up a post at the rank commensurate with his/her salary point or to rectify the over-ranked situation as soon as possible.

### **Confirming Surplus Teachers/LTs**

12. On confirming the list of surplus teachers/LTs, the SMCs/IMCs should give sufficient notice to the identified surplus teachers/LTs (e.g. 3 months' notice plus the period of paid annual leave not yet taken for LTs who have completed the probationary period) and issue a letter of reference to them to facilitate their job finding.

13. In case vacancies arise subsequent to the identification of surplus teachers/LTs, the school should, as far as possible, make use of all such vacancies to absorb its surplus teachers/LTs who have not yet secured teaching/LT posts.

### **Enquiries**

14. For further enquiries, please contact the respective School Development Sections.

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