

## **Guidelines for Employment of Substitute Teachers in Aided Schools**

1. Aided schools may approve the employment of daily-rated supply teachers/ monthly-paid temporary teachers (collectively known as “substitute teachers” thereafter) to substitute regular teachers on approved leave in accordance with the conditions stipulated in the Codes of Aid. Details are set out below.

### **Daily-rated Supply Teachers**

#### **(i) Aided schools with an established Incorporated Management Committee (IMC)**

2. With the introduction of the Teacher Relief Grant (TRG), schools are provided with an annual recurrent cash grant calculated on approved formula for the employment of daily-rated supply teachers, where necessary, to substitute regular teachers on approved leave for less than 30 days. However, schools may continue to apply for reimbursement for employment of daily-rated supply teachers for regular teachers on maternity leave, sick leave and other approved leaves lasting for 30 days or more. Schools should refer to the General Guidelines for Employment given below for appointment of daily-rated supply teachers as appropriate. For details of the administrative arrangements and usage of the TRG, schools should follow the procedures as laid down in the Guidelines on “**Teacher Relief Grant for Schools with an Incorporated Management Committee**” in Education Bureau (EDB) homepage.

#### **(ii) Aided schools which have yet to establish Incorporated Management Committees(non-IMC)**

3. According to relevant sections of respective Codes of Aid<sup>1</sup>, schools can employ supply teachers on a daily basis to substitute for teachers who are absent on approved leave for three days or more. Based on the General Guidelines for Employment given below, schools should determine the daily rate of pay of supply teachers based on the teachers’ qualifications and arrange payment to the daily-rated supply teachers promptly. Schools should also send the claim form (EDB Form No. 107) and certified receipts of the supply teachers which are available from EDB homepage (**<http://www.edb.gov.hk>** → **School Administration and Management** → **Regulations** → **Codes of Aid** → **Guidelines and Forms related to Codes of Aid for**

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<sup>1</sup> Including Codes of Aid for Secondary Schools, Codes of Aid for Primary Schools, Codes of Aid for Special Schools.

**Aided Primary, Secondary and Special Schools)** to the Recurrent Subventions Section of EDB for reimbursement in accordance with the procedures as stipulated in the relevant circular memorandum currently in force. They need not send the appointment forms and copies of certificates of the supply teachers.

#### **Monthly-paid Temporary Teachers**

4. Whether it is an IMC school or a non-IMC school, the school may approve the employment of temporary replacements on monthly terms for regular teachers taking approved leaves of 90 days or more according to its own needs and circumstances. Schools with teaching staff's salaries paid out of Salaries Grant should submit the copies of 'Appointment Form of Teaching Staff in Aided Schools' to relevant sections of EDB for arranging payment of Salaries Grant on employment of monthly-paid temporary teachers. Appointment Forms are available from **EDB homepage --> School Administration and Management --> Administration --> About School Staff --> Appointment Matters.**

5. Under the all-graduate teaching force policy, all teacher posts on the approved establishment will be graduate teacher posts with effect from the 2019/20 school year. As such, if a serving graduate/non-graduate regular teacher takes approved leave, the secondary/primary school should appoint a substitute teacher meeting the entry requirements of Graduate Master/Mistress (GM)/Assistant Primary School Master/Mistress (APSM) as far as possible. In other words, those possessing the qualifications as required for appointment to the post of GM/APSM should be given priority.

#### **General Guidelines for Employment**

6. A graduate substitute teacher should have the same qualifications as required for appointment to the post of GM or APSM in an aided secondary or primary school. Nevertheless, if secondary/primary schools still need to employ a substitute teacher not meeting the entry requirements of GM/APSM, the substitute teacher should be employed as Certificated Master/Mistress (CM), provided that the substitute teacher has the same qualifications as required for appointment to the post of CM in an aided secondary or primary school. For details of qualification requirements for both graduate and non-graduate teachers, please refer to the respective Codes of Aid.

7. Priority should be given to trained teachers as far as possible when selecting substitute teachers. Untrained teachers with specified non-standard qualifications<sup>2</sup> or unqualified teachers may be employed as substitute teachers only under very exceptional circumstances (such as subject mismatch or remoteness of the school).

8. If a substitute teacher possesses the same qualifications as required for appointment to the post of GM or APSM in an aided secondary or primary school, the school should offer the appointee remuneration equivalent to the daily rate/ salary point of a graduate teacher. If a substitute teacher only possesses the same qualifications as required for appointment to the post of CM, the substitute teacher should only be paid at the daily rate/ salary point of a non-graduate teacher. Untrained daily-rated supply teachers with specified non-standard qualifications should be paid at the daily rate of non-graduate supply teachers while those only meeting the minimum qualification requirements under the Education Regulations<sup>3</sup> should be paid at the daily rate of Unqualified Supply Teachers. Schools should follow the daily rates stipulated in the EDB circular memorandum issued from time to time to make the payments to their supply teachers.

9. A daily-rated supply teacher's service on a daily basis is purely for relief duties and cannot, in any way, be regarded as recognised teaching experience for any other purposes, including incremental credits for experience.

10. When appointing substitute teachers, schools should

- (a) establish a set of guidelines and procedures for selecting substitute teachers in accordance with the principle of fairness and openness, including the criteria of adding substitute teachers to the school-based substitute teacher lists and the direct appointment of daily-rated supply teachers under special circumstances;

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<sup>2</sup> Specified non-standard qualifications refer to the following:

- (a) Approved Post-secondary Secondary College (APSC) diplomas from Hong Kong Baptist College (now known as Hong Kong Baptist University); Lingnan College (now known as Lingnan University); and Hong Kong Shue Yan College (now known as Hong Kong Shue Yan University);
- (b) Higher Certificate/ Professional Diploma/ Higher Diploma/ Diploma/ Certificate (Commerce/ Secretary) plus one/two years of relevant post-qualification experience and without technical teacher training from Hong Kong Polytechnic University (former Hong Kong Polytechnic); City University of Hong Kong (former City Polytechnic of Hong Kong); and technical institutes (former Technical College); and
- (c) Diploma (before 1994 and for Music only) and Advanced Diploma (after 1994 and for Music only) from Hong Kong Academy for Performing Arts (APA).

<sup>3</sup> The minimum qualification of a Permitted Teacher teaching in schools providing primary and secondary education should be a higher diploma or an associate degree or equivalent.

- (b) require the staff involved in the selection/approving process to declare any conflict of interest and document the information claimed by the staff concerned;
- (c) check carefully the particulars of the substitute teacher against originals, in particular Identity Card and academic qualification documents;
- (d) verify carefully the original copy of the teacher registration documents; if schools have doubts about the registration status of the substitute teachers to be employed, they may apply to the EDB for the release of the teacher registration information after obtaining consent of the teachers concerned;
- (e) ensure that the substitute teachers who are not yet registered have submitted applications for teacher registration before assumption of duty;
- (f) ensure that unless with the permission in writing of the Permanent Secretary for Education, persons who have had their teacher registration cancelled/refused shall not enter or remain in any school;
- (g) adopt enhancement measures to guard against improper persons to be appointed as substitute teachers, e.g. requesting the applicants to declare whether they have been convicted of any criminal offence in Hong Kong or elsewhere, or cancellation/refusal of teacher registration, if any. Schools should refer to EDBC No. 16/2017 on “Measures for Strengthening the Protection of Students: Appointment Matters of Schools” and Section 7 of School Administration Guide for details;
- (h) request prospective substitute teachers to undergo Sexual Conviction Record Check (SCRC) at advanced stage of the employment process and keep the record properly with a view to verifying the sexual conviction records as declared by them. This can facilitate schools to make an informed decision on selecting suitable substitute teachers for working in schools. Please refer to the EDB Circular Memorandum No. 179/2011 on “Sexual Conviction Record Check Scheme” for details. For implementation details of the Scheme, including the protocol and application procedures, etc., schools may browse the SCRC page of the Hong Kong Police Force website (<http://www.police.gov.hk/scrc>);

- (i) check that the substitute teacher has met the minimum qualification requirements under the Education Regulations<sup>3</sup>;
- (j) assess the daily rate of pay/salary point based on the teachers' qualifications; and
- (k) ensure the required appointment procedures<sup>5</sup> have been completed before the appointment of the prospective substitute teachers takes effect;
- (l) keep relevant employment records, including the reasons for being employed/not employed, decline of offer by selected candidates, etc.; and
- (m) make prompt payments to their substitute teachers and in any case not later than seven days after the end of the wage period.

11. Before a substitute teacher takes up the job, he/she should be advised of the following:

- (a) the number of days or period for which the substitute teacher will be employed. The period may be extended subject to consent of both parties;
- (b) schools will, based on school-based circumstances, record performance appraisal of substitute teachers for facilitating future shortlisting/appointment. He/She is liable to disciplinary actions if he/she neglects or willfully refuses to perform his/her duties or in any manner misconducts himself/herself;
- (c) the employment may be terminated by either party by giving sufficient notice as specified under the Employment Ordinance;

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<sup>5</sup> For any teacher who is to be employed to fill a post in the approved teaching staff establishment of a school according to the Codes of Aid or employed for a term for not less than 6 months, the appointment shall be approved by the majority of the managers of the school. All the necessary procedures for any form of appointment of a teacher should be completed before the effective date, including the approval by the SMCs/IMCs. Under normal circumstances, there should be no retrospective effect for the date of appointment, save for the situation that daily-rated supply teachers are converted to monthly-paid temporary teachers.

- (d) for a daily-rated supply teacher, he/she is paid at a daily rate according to the rate set by EDB and the number of school days he/she has actually performed duties; and
- (e) for a daily-rated supply teacher, he/she is entitled to rest days and school holidays but these days will not be counted for payment.

12. Applicants with non-local qualification(s) should approach the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) for an assessment of their non-local qualifications (including academic qualifications and professional training) and provide a copy of the assessment result to the school for record purpose. For details, please refer to the circular/guidelines currently in force on assessment of non-local qualifications for appointment to teaching posts in aided schools.

13. For the condition for employment of substitute staff as a replacement of various regular non-teaching staff on approved leave, aided schools should refer to the relevant guidelines as set out in the respective Codes of Aid. Schools may also take para. 10 (except (d)-(f)) and para. 11 under the General Guidelines for Employment as reference.

14. Schools may direct their enquiries concerning the employment, including the daily rate of pay of a supply teacher, to their respective Senior School Development Officer.

Education Bureau

August 2019

**Sample**  
**(Name of School)**

**Appointment Form for Daily-rated Supply Teachers in Aided Schools**

\* Delete whichever is inappropriate

“✓” as appropriate

**Section I** [ To be completed by the appointee. Please read the Notes for Completing the Appointment Form carefully before completing this Section. ]

**1. Personal Particulars**

Name (in English) : \_\_\_\_\_ (in Chinese) : \_\_\_\_\_

Date of Birth : \_\_\_\_\_ Sex :  M /  F  PT /  RT /  Not Available

(DD/MM/YY)

Teacher Registration : \_\_\_\_\_  
No. \_\_\_\_\_

Address : \_\_\_\_\_

Telephone No. : \_\_\_\_\_ Mobile Phone No. : \_\_\_\_\_

**2. Academic Qualifications**

College / University / Institute	Year Obtained	Certificate / Diploma / Degree Obtained	Major / Minor

Note: If you possess non-local academic qualification(s), please attach a copy of the document of assessment of your qualification(s), if available.

**3. Teacher Training**

College / University / Institute	Year Obtained	Certificate / Diploma / Degree Obtained	Major / Minor

**4. Teaching Experience**

Name of School	Subject (Level)	Period

## 5. Period Available for Serving as Supply Teacher

from \_\_\_\_\_ to \_\_\_\_\_  
(dd/mm/yyyy) (dd/mm/yyyy)

## 6. Consent on accessing the previous employment information, teacher registration information and/or the result of Sexual Conviction Record Check (SCRC)<sup>Note 1</sup>

I authorize \_\_\_\_\_ (School Name) (the school) to:

- make enquiries concerning any record or information relating to my employment;
- make enquiries concerning any information relating to my teacher registration; and/or
- access the result of my SCRC through the Auto-Telephone Answering System.

I also give my consent to my previous and existing employers to release information relating to my employment to the school.

## 7. Declaration

I hereby declare that:

- I \*have / have not been convicted of a criminal offence<sup>Note 2</sup> in Hong Kong or elsewhere. Please provide the details as appropriate:  
\_\_\_\_\_.
- My registered teacher or permitted teacher status \*has / has not been cancelled/refused by the Education Bureau. Please provide the details as appropriate:  
\_\_\_\_\_.

I also confirm that I have read and understood the Notes for Completing the Appointment Form. I fully understand the purpose(s) for collecting my personal data and their use. I also understand that if I intentionally provide false information/withhold any material information, it will render me liable to disqualification for employment, or to termination of employment, if already employed by the school.

Date : \_\_\_\_\_

Signature : \_\_\_\_\_

<sup>Note 1</sup> The Administration has accepted the recommendation of Law Reform Commission to establish the Sexual Conviction Record Check (SCRC) scheme and the Hong Kong Police Force has launched the scheme since 1 December 2011. The scheme is only applicable to prospective employees seeking child-related work and work relating to mentally incapacitated persons in organizations or enterprises (including supply teaching posts in schools). Given the importance of protecting our students, schools should adopt the scheme and request prospective supply teachers to undergo SCRC at the advanced stage of the employment process. Details of the SCRC scheme are available at the Hong Kong Police Force homepage (<http://www.police.gov.hk/scrc>).

<sup>Note 2</sup> Any criminal conviction may not necessarily render job application unsuccessful.

**Section II** ( To be completed by the school )

- (i) My school has requested the appointee to undergo SCRC.
- (ii) My school has accessed the result of the appointee's SCRC through the Auto-Telephone Answering System.

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**Notes for Completing the Appointment Form**

1. The personal data provided by means of this form will be used for appointment as a supply teacher under the Codes of Aid and other employment related purposes.
2. This form together with copy of certificates will be kept in school for Education Bureau's inspection/audit as and when required.
3. The provision of personal data by means of this form is obligatory. If you do not provide sufficient information, school may not be able to process the appointment.
4. You have a right of access and correction with respect to personal data as provided in sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Enquiries concerning the personal data collected by means of this form, including making of access and corrections, should be addressed to the school to which your form is submitted.