

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 the respective Codes of Aid¹, 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 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

¹ Including Code of Aid for Secondary Schools, Code of Aid for Primary Schools, and Code of Aid for Special Schools.

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. Starting from the 2022/23 school year, newly-appointed monthly-paid temporary teachers in all aided schools are required to pass the Basic Law Test (BLT) in order to be considered for appointment.

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.

6. Prior to appointing monthly-paid temporary teachers, schools should verify whether the candidates have passed the BLT, fill in the related information in the “Appointment Form of Teaching Staff in Aided Schools” and submit the forms together with copies of the BLT results to the respective sections of the EDB in accordance with the existing procedures 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.** Schools shall refund any overpayment of salaries to the EDB if they fail to provide copies of the relevant BLT results or the appointments concerned fail to meet the above requirement.

General Guidelines for Employment

7. A graduate substitute teacher should have the same qualifications as required for appointment to the post of GM or APSM in an aided primary or secondary school. Nevertheless, if primary/secondary 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 primary or secondary school. For details of the qualification requirements for both graduate and non-

graduate teachers, please refer to the respective Codes of Aid.

8. Priority should be given to trained teachers as far as possible when selecting substitute teachers. Untrained teachers with specified non-standard qualifications² or unqualified teachers may be employed as substitute teachers only under very exceptional circumstances (such as subject mismatch or remoteness of the school).

9. If a substitute teacher possesses the same qualifications as required for appointment to the post of GM or APSM in an aided primary or secondary 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 Regulations³ 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.

10. 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.

11. 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;

² 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).

³ 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 and keep record of copies of teacher registration documents (applicable to both registered and permitted teachers) for future checking;
- (e) apply to the EDB for the release of the teacher registration information of the substitute teachers to be employed after obtaining consent of the teachers concerned;
- (f) ensure that the substitute teachers to be employed who are not yet registered have submitted applications for teacher registration before assumption of duty;
- (g) 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;
- (h) 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 whether they are involved in any ongoing criminal proceedings or investigations, including but not limited to arrest or apprehension by the police, whether their registered teacher or permitted teacher status has been cancelled/refused, or whether they are being investigated by schools and/or the EDB over professional misconduct allegations, and to provide the details accordingly. Schools should state clearly on the application forms for the posts and/or other related documents that if the appointees provide false information or withhold material information, they are subject to the dire consequences of criminal prosecution, and they may be dismissed by the schools. Schools should refer to EDBC No. 7/2021 on “Measures for Strengthening the Protection of Students: Appointment of Teaching and Non-teaching Staff in Schools” and Chapter 7 of School Administration Guide for details;

- (i) 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 will enable schools to make an informed decision on selecting suitable substitute teachers for working in schools. Please refer to the EDB Circular No. 7/2021 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>);
- (j) check the certificate of service issued by the prospective substitute teachers' previous employers, and consult their previous employers about their performance, after obtaining consent of the teachers concerned;
- (k) check that the substitute teacher has met the minimum qualification requirements under the Education Regulations³;
- (l) assess the daily rate of pay/salary point based on the teachers' qualifications;
- (m) ensure the required appointment procedures⁴ have been completed before the appointment of the prospective substitute teachers takes effect;
- (n) keep relevant employment records, including the reasons for being employed/not employed, decline of offer by selected candidates, etc.; and
- (o) make prompt payments to their substitute teachers and in any case not later than seven days after the end of the wage period.

12. 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;

⁴ 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.

- (b) schools will, based on school-based circumstances, conduct performance appraisals with substitute teachers which will be used for future reference in the appointment of substitute teachers/initial shortlisting for inclusion in the reserve list of substitute teachers. The substitute teacher 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;
- (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.

13. A sample of appointment form and performance record form for substitute teachers are enclosed for reference (Appendix 1 and Appendix 2). Schools are required to properly keep all substitute teachers' appraisal records.

14. 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.

15. For the conditions 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. 11 (except (d)-(f)) and para. 12 under the General Guidelines for Employment as reference.

16. 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.

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)^{Note 1}

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^{Note 2} in Hong Kong or elsewhere, or involved in any ongoing criminal proceedings or investigations, including but not limited to arrest or apprehension by the police. Please provide the details as appropriate:
_____.
- I *am / am not being investigated by a school and / or the EDB over professional misconduct allegations. 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 : _____

^{Note 1} 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>).

^{Note 2} 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.
- ☐ (iii) My school has applied to the Education Bureau for the release of the teacher registration information of the appointee.

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.

Sample**Performance Record Form for Substitute Teacher in Aided Schools**

School Name: _____ School Year: _____

*Note: (a) This Form shall be kept by Schools.**(b) This Form is a sample form for schools' reference. Schools may adapt to suit their individual needs and situations and follow their own school-based staff appraisal system as appropriate.*

* Delete whichever is inappropriate

☐ "✓" as appropriate**Part A: Particulars of the Substitute Teacher**

Name (in English): _____ (in Chinese): _____

Valid *Permitted Teacher Reference No./ Teacher Registration No.: _____

Rank for Employment: ☐ GM ☐ APSM ☐ CM ☐ Others: _____

Levels and Subjects taught: _____

Other Duties: _____

Employment Period: from ____/____/____ to ____/____/____ (dd/mm/yyyy)

Part B: Performance Record(a) Level of Performance: ☐ Very good / ☐ Good / ☐ Satisfactory / ☐ Unsatisfactory

(b) Other remarks for performance:

Appraising Officer

Countersigning Officer

Signature_____
Signature

Name : _____

Name : _____

Rank/Post Held : _____

Rank/Post Held : _____

Date : _____

Date : _____

Points to note:

1. Generally speaking, the appraisal should focus on the following items:
 - teaching and teaching-related duties
 - non-teaching duties
 - professional and personal competence
2. Unlike the performance management for regular teachers which should be a continuous process for identifying, evaluating and developing the work performance of teachers, the performance record of substitute teachers is intended for facilitating schools' future shortlisting and appointment.