

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-1956 - Music Teachers
Date: 29 January 2018 12:21:08
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[FOI 17-1956 Contract TC's Supply Teacher.pdf](#)
[FOI 17-1956 - Q2 .pdf](#)
[FOI 17-1956 - Q1.pdf](#)

Dear [REDACTED],

Thank you for your information request of 12 December 2017 and please accept our sincere apology for delay in getting back to you. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Please provide the contracts for supply work that were offered to music teachers from August 2016 to date including number of contracts offered, terms and conditions of each contract, salary, hourly rate, working time and duration of the contract.

Please find enclosed documents ref: FOI-17-1956 – Q1 and FOI-17-1956 – Contract TC's Supply Teacher – which includes the required details.

Number of music teachers available for supply work from August 2016 to date and how you divide supply work between music teachers.

Please find enclosed document ref: FOI-17-1956 – Q2.

ACC is unable to provide you with the names on the attached document as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with 38(2)(a)(i) – Personal Information – of the FOISA.

In making this decision ACC considered the following points:

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individual(s), of which the applicant is not the data subject.

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). The individual(s) have not consented to the disclosure of their information, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

We hope this helps with your request.

Yours sincerely,

Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

Information Compliance Team
Customer Service
Corporate Governance
Aberdeen City Council
3rd Floor North
Business Hub 17
Marischal College
Broad Street
ABERDEEN AB10 1AQ

foienquiries@aberdeencity.gov.uk

Tel 03000 200 292

*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

Our Ref. HRSC/HRSupport
Your Ref.
Contact HR Service Centre
Email askhr@aberdeencity.gov.uk
Direct Dial 01224 523939
Direct Fax 01224 522257

26 January 2018

PERSONAL

Human Resources
Corporate Governance
Aberdeen City Council
Level 4 West
Business Hub 18
Marischal College
Broad Street
Aberdeen
AB10 1AB

Phone 03000 200 291
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Dear

Aberdeen City Council's Supply Teachers' List

I write to confirm that you have been included on Aberdeen City Council's list of Supply Teachers. It is emphasised that this letter constitutes a written 'contract for services' and that the Council's terms and conditions of employment do not apply to Supply Workers. This letter merely clarifies the arrangements that apply to you being included on the list of Supply Teachers.

To comply with legal requirements, the Council can only offer you work if you are eligible to work within the UK. As such, your contract for services with the Council will automatically end, and the terms set out in this letter cease to apply should your right to work within the UK expire.

No 'Mutuality of Obligation' to Offer or Accept Work

You will understand that, although work may be offered to you as and when available, the Council is under no obligation to provide you with work and you are under no obligation to accept any offer of work from the Council. You are therefore free to refuse work when offered and undertake any other employment without penalty. Should you be unavailable for work for any reason (for example due to sickness or some other reason) no payment will be made.

Pay

ANGELA SCOTT
CHIEF EXECUTIVE

In line with the conditions as set by the SNCT, when carrying out Supply Teaching work you will be paid on Point 0 - £22,416 per annum if not fully registered with the GTC. Pay will be calculated on an hourly rate for the first 2 days of any one assignment up to a full pupil school day. Should any one assignment last longer than 2 days you will then be placed onto a short term fixed term contract for the remainder of the assignment. This will be paid at the point of the main grade pay scale appropriate to your service.

Salary will accrue on an hourly basis calculated on the above annual salary divided by 1645. You will be paid monthly and by direct credit transfer to your nominated bank or building society account. Claims should be submitted and payment will be made at the end of each month for the previous calendar month, the exact dates for payment being determined at the beginning of each session.

Holiday entitlement will be accrued on the basis of 0.2051 of a day for each day worked. A payment will be made based on this calculation during school holiday periods.

Working Time Regulations

Even though this is a contract for services and you are not an 'employee', the Working Time Regulations still apply to you as a 'worker' which include the following:-

- A limit of an average of 48 hours per week which a worker may be required to work, however, they can opt-out of this limit and work more if they want to.
- Entitlement to a rest break of a minimum of 20 minutes during working hours where daily working time exceeds 6 hours. In the Council, where 6 or more hours are worked in a 24 hour period, an unpaid rest break of at least 30 minutes must be taken.
- Entitlement to 11 hours rest in every 24 hours.
- A minimum of one day off per week.
- A limit of an average 8 hours work every 24 hours for night workers.
- Free health assessments for night workers.

Tax and National Insurance Deductions

It is a statutory requirement that tax and national insurance contributions as appropriate are deducted from payments made to Supply Workers.

Pension

The Scottish Teachers' Pension Scheme (STPS) is open to those under SNCT conditions of service provided you are under 75. The STPS is a statutory scheme into which both individuals and employers contribute.

All those eligible will automatically be contractually enrolled into the STPS. An individual can choose to opt out of the STPS by contacting the SPPA on telephone number 01896 893000 who will issue the relevant opt-out form or through downloading the form from the SPPA website as shown below. This form should be dated on or after your start date.

If you have more than one position with the Council, each will be treated individually, with pension contribution rates based on the actual pensionable pay for each position. You are able to opt in or out of the pension scheme for each individual position. Information about the scheme is available from the SPPA website www.sppa.gov.uk or by calling 01896 893000.

The Council will comply with its statutory requirements in relation to auto-enrolment/re-enrolment.

Retired Teacher coming back to work as Supply

Should you become re-employed as a teacher after retirement you will automatically be re-entered into the STPS scheme and may be subject to an earnings limit. This limit applies whether your re-employment is pensionable or not, therefore opting out of the scheme on re-employment, makes no difference to the earnings limit. If you exceed the earnings limit, your current pension may be reduced. Further information can be found on the SPPA website <http://www.sppa.gov.uk/>

Overpayments

Please note that, in the event of any overpayment being made the Council reserves the right to recoup the amount overpaid from you in a reasonable manner.

Management of the Supply Teachers' List

The Council reserves the right to add to or remove from the list any name at its absolute discretion where it considers there are reasonable grounds to do so. The list will occasionally be updated and if you have not worked for a period of twelve months your name will be removed from the list without notice. This does not prevent you from reapplying to be included on the list.

The Need to be Properly Registered

Any assignment to work as a Teacher for the Council is subject to you being currently and appropriately registered with the General Teaching Council for Scotland and maintaining registration year by year.

Misconduct/Performance

As a Supply Worker, the Council's employment policies and procedures do not apply. Any concerns of a disciplinary nature against you, or of unacceptable work performance, will be examined by management. If misconduct or unacceptable work performance is found, at the discretion of management you will be removed from the Supply Teachers' List and notified accordingly.

Please sign and return a copy of this letter indicating your understanding and acceptance of the arrangements under which you will be included on the Supply Teachers' List. I have included a second copy for your retention.

Yours sincerely

Assistant HR Co-ordinator

I accept the offer of inclusion on Aberdeen City Council's Supply Teachers' List on the basis set out above.

Name: (Block Capitals)

Signature:

Date:

| EmployeeNumber | Surname | Forename | GTCSUBJECT | JobTitle | Note |
|--|---------|----------|------------|-------------------------------|---|
| | | | Music | CASUAL TEACHER SECONDARY | Primary Music Only |
| | | | Music | CASUAL TEACHER PROB SECONDARY | |
| | | | Music | CASUAL TEACHER SECONDARY | AGS, Harlaw, Hazlehead & St Machar only |
| | | | Music | CASUAL TEACHER SECONDARY | |
| | | | Music | CASUAL TEACHER SECONDARY | |
| | | | | | |
| | | | | | |
| Work is offered out either by schools telephoning or emailing them directly as they have access to the database. | | | | | |

| FromDate | ToDate | DayPeriod | No of days required | Status | CancelledReason |
|------------------|------------------|-----------|---------------------|-----------|--|
| 15/08/2016 00:00 | 19/08/2016 00:00 | Full Day | 5 | Covered | Covering staff member on £21.74 per hour |
| 29/08/2016 00:00 | 30/08/2016 00:00 | Full Day | 2 | Cancelled | Uncovered Request |
| 19/09/2016 00:00 | 07/10/2016 00:00 | Full Day | 13 | Covered | Covering staff member on £21.74 per hour |
| 24/10/2016 00:00 | 23/12/2016 00:00 | Full Day | 44 | Cancelled | Uncovered Request |
| 09/11/2016 00:00 | 09/11/2016 00:00 | Full Day | 1 | Cancelled | Uncovered Request |
| 12/12/2016 00:00 | 27/01/2017 00:00 | Full Day | 25 | Covered | Covering staff member on £21.74 per hour |
| 19/01/2017 00:00 | 25/01/2017 00:00 | Full Day | 5 | Cancelled | No Longer Required |
| 19/01/2017 00:00 | 30/06/2017 00:00 | Full Day | 112 | Cancelled | Uncovered Request |
| 30/01/2017 00:00 | 13/02/2017 00:00 | Full Day | 10 | Cancelled | Uncovered Request |
| 05/06/2017 00:00 | 19/06/2017 00:00 | Full Day | 11 | Cancelled | Uncovered Request |
| 21/08/2017 00:00 | 21/09/2017 00:00 | Full Day | 46 | Cancelled | Uncovered Request |
| 21/08/2017 00:00 | 21/09/2017 00:00 | Full Day | 46 | Cancelled | Uncovered Request |
| 29/11/2017 00:00 | 29/11/2017 00:00 | Full Day | 1 | Cancelled | Uncovered Request |
| 29/11/2017 00:00 | 23/12/2017 00:00 | Full Day | 17 | Cancelled | Uncovered Request |