

## **Education Bureau Circular No. 9/2016**

### **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.

#### **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 will be 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, number of 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. Moreover, the EDB would regularly review the provision of teaching manpower resources for schools and make appropriate adjustment. For example, having regard to the school-based and manpower development needs, schools may turn the existing Senior Secondary Curriculum Support Grant and/or Career and Life Planning Grant into regular teaching posts with effect from the 2016/17 school year to provide a more stable teacher manpower while implementing the relevant policies. For details, please refer to EDB Circular Memorandum (EDBCM) No. 36/2016.

4. Schools may use cash grants to employ contract teachers under their respective employment terms. While these contract teachers are teaching staff outside the regular teacher establishment, they are teachers who equally shoulder the important responsibility of educating our students. We have always been 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 and provided with opportunities for professional training. In this connection, schools should draw up medium- and long-term school-based plans for managing their manpower resources and establish an open, fair, evidence-based and transparent school-based mechanism, following objective criteria, sound and proper selection procedures, for filling vacant teaching posts on regular teacher establishment, including the provision of opportunity for suitable contract teachers to be appointed as regular teachers.

5. Generally speaking, schools understand their responsibility of being good employers and are making good use of the resources provided by the EDB, such as providing contract teachers with reasonable conditions of service and work arrangements and, when fulfilling the principles stated in the preceding paragraph, appoint suitable contract teachers as regular teachers in an orderly manner.

6. 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). After gathering views from the school sector and consolidating various basic principles of being a good employer, the EDB has prepared the Guidelines on Optimising the Use of Teaching Manpower Resources (please see Annex). Schools are requested to cooperate fully by optimising the use of their teaching manpower resources through the implementation of measures set out in the Guidelines and provide reasonable remunerations and appropriate support for appointing contract teachers.

7. Moreover, schools are required to create accounts on e-Services Portal (“the Portal”)<sup>1</sup> for all monthly-paid teachers (including regular and temporary teachers paid by Salaries Grant, government funds or other funding sources; information of other staff with teaching load should also be reported). 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. We would like to solicit the continuous assistance from school principals to remind their teachers of the importance of reporting and updating the relevant information, so as to ensure the completeness of teacher data in the Portal. We also encourage schools to make good use of such information for reviewing and analysing their teachers’ professional background and teaching experience etc. so as to facilitate their school-based management and planning of teaching manpower resources. Upon the creation of Portal accounts, teachers can logon 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. Keeping accurate and comprehensive information of teachers in the Portal facilitates teacher professional development in schools which will be conducive to the delivery of quality education.

## **ENQUIRY**

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

Benjamin YUNG  
for Permanent Secretary for Education

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<sup>1</sup> For details, please refer to EDB Circular Memorandum No. 77/2016 “e-Services Portal – Management of Teachers’ Personal Profiles: Updating Exercise for the 2016/17 School Year and Briefing on Enhancements of e-Services Portal”.

**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 instead of ancillary staff<sup>1</sup> to take up teaching duties. 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.
2. 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.
3. When employing contract teachers using 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 offer contracts lasting a longer term.

Employment of regular teachers with defined contract period

4. Regular teachers employed with defined contract period are within the approved establishment, with salary and leave benefits, including contribution to 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.

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<sup>1</sup> In general, ancillary staff are 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.

5. 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.
6. 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

7. 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

8. 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 according to needs of schools. In deciding whether it is necessary to opt for a cash grant by freezing their teaching posts, schools should examine critically their long-term development together with the needs of students and interests of teachers.
9. Unless there are sound justifications, schools should not freeze promotion posts (including senior teacher or deputy headship posts) for a prolonged period or freeze too many promotion posts. Otherwise, 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 sustainable development, schools are advised to make plans and train up middle managers at an early stage.

## Establishment of School-based Mechanism

10. 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.
11. 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.
12. 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

13. 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 rank<sup>2</sup> (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

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<sup>2</sup> 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.

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 Kong, the Codes of Aid (where applicable), etc., as well as the instructions given by the Permanent Secretary of 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

14. 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 appointment<sup>2</sup>, 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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