# **Teacher Transfer Guidelines**

The teacher transfer guidelines apply to the following staff:

- teaching staff employed under the Teachers' Award State in Stream 1 Bands 1, 2 and 3 (including Senior, Experienced Senior, Highly Accomplished and Lead Teachers)
- education officers (Special Duties) (EOSD)
- instrumental music teachers and instructors
- · community and assistant teachers.

The teacher transfer guidelines do not apply to:

- classified officers who are relocated in line with the Classified Teacher Relocation processes
- permanent teachers seeking to change their employment fraction and remain in their current location
- teachers who have been appointed to a holding location as a result of a transfer application, but are awaiting confirmation of a permanent appointment to a specific location.

## 1. Purpose

The teacher transfer guidelines are to assist teachers, principals and regional HR teams in relation to the department's teacher transfer system and process.

## 2. Teacher mobility and teacher transfers

The department's commitment to practices that support a mobile teaching workforce is set out in the Teacher Workforce Mobility policy. School leaders are required to encourage the mobility of teachers across the system and actively participate in practices to facilitate this, such as teacher transfers, relieving placements and internal appointments.

To sustain a capable, high quality teaching community that is committed to lifelong learning and ongoing professional development, teachers are expected to take ownership of their own professional development by expanding their capabilities and pursuing potential career opportunities. This includes working across rural, remote and complex sites throughout their career and maintaining professional currency, employability (including at least two subject areas for secondary teachers) and expected performance standards.

The objectives of the teacher transfer process are to:

- ensure all schools have a robust workforce and are sufficiently resourced to deliver high quality education
- ensure appropriately qualified teachers in all schools throughout Queensland
- ensure transfer decisions are equitable and transparent
- encourage teachers to contribute to our rural, remote and Indigenous communities
- recognise rural and remote service by supporting teachers to return to a preferred location
- deliver the best possible outcomes for teachers and schools
- increase the potential for successful transfers that take into consideration an individual teacher's personal circumstances, professional capabilities and career interests.





## 3. Applying for a requested transfer and eligibility criteria

Teachers wishing to apply for a transfer can apply at any time of the year. Prior to applying for a transfer, teachers should understand their eligibility, relevant transfer type and the placement considerations outlined in these guidelines.

Applications for teacher transfer are to be made online via MyHR Recruitment Solution in the following circumstances:

- transfer request from substantive location
- transfer request from substantive location and a change in employment fraction
- return from a period of leave of more than 12 months and transfer request from substantive school location
- transfer request for compassionate reasons, subject to confirmation by the regional HR team.

#### **Cross sector transfers**

Teachers may request a transfer across teaching sectors. Applicants must provide sufficient supporting documentation to demonstrate that they have the appropriate qualifications, experience or capability to teach in the sector into which the transfer is requested. This includes written verification from an appropriate school principal or administrator of the applicant's capability to teach in the requested sector.

Cross sector transfer requests are subject to the relevant eligibility criteria and verification of the current principal and relevant regional HR team.

#### To be eligible to apply for a transfer, teachers are required to:

- be employed on a permanent basis (either full time or part time)
- have completed the specified minimum service period in their substantive location:
  - 2 years minimum service period for remote (transfer rating 7) schools
  - o 3 years minimum service for all other schools (transfer rating 1 to 6).

Notwithstanding the above, teachers may apply for a transfer before completing the specified minimum service period in the substantive school location if the transfer is:

- to a transfer rating higher than their current location
- on compassionate grounds or due to domestic and family violence
- operationally required by the department e.g. transferring to a high priority location.

## A teacher will not be transferred outside their current school if they are:

- on probation
- subject to a formal performance management process (MUP) or has a case before the Board of Review, unless the transfer has been recommended as part of the Board of Review process
- subject to a formal conduct investigation, or disciplinary action is in progress, unless the transfer is recommended as part of the disciplinary action
- participating in a workplace rehabilitation program, sick leave or graduated return to work program (where medical clearance is yet to be provided).





## **Transfer location preferences**

Transfer placements are now facilitated and confirmed at any time of the year. It is important that teachers only nominate transfer locations they are willing to work in e.g. if a teacher is only willing to work in Mackay, it is important that they only nominate Mackay GA as a preference.

Teacher transfer applicants may specify up to three geographic area locations in their transfer application. In the situation where the teacher is placed to their first nominated geographic area location accrued transfer points are not retained.

### Timing of teacher transfer application

Teacher transfer applications will be accepted in the year the teacher is due to complete their minimum service period at the school they are currently employed at and not any earlier.

When a teacher transfer application is submitted and verified by the current principal and regional HR, the transfer applicant becomes part of the teacher transfer applicant pool.

Teachers wishing to transfer for the commencement of the following year should submit their transfer application as soon as possible to be considered as part of the teacher transfer pool when vacancies arise.

Transfer applications remain active until a transfer placement is made or the applicant chooses to withdraw their application.

# 4. Transfers types that support state-wide mobility and eligibility criteria

## Transfers to priority and rural and remote locations (including AMP locations)

Priority and rural and remote transfers are both transfers to transfer rating 4 to 7 locations and, state school locations identified by regional HR teams with high or extreme resourcing support needs approved by the Executive Director, HR Business Partnering and Engagement.

Priority locations are not determined by a school's transfer rating and change from year to year based on resourcing demand and other factors.

Teachers who are appointed to state schools with a transfer rating 4 to 7 receive a range of allowances under the Recognition of Rural and Remote Service (RoRRS) Scheme. These allowances recognise the unique opportunities associated with working in these locations and provide additional financial support for teachers and their families to teach and live in a rural and remote community. For more information about eligibility and available allowances under the scheme, please refer to the <u>Rural and Remote Benefits Website</u>.

Alcohol management plans (AMPs) are in place in many of the remote Indigenous communities in Queensland. Teachers in these schools must be aware of the plan and the <u>alcohol restrictions</u> that apply to that community, their obligations in regard to those restrictions, and penalties associated with not complying with those restrictions. Further information is available on the <u>Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP)</u> website.





In recognition of service in AMP communities, teachers transferred out after completing the minimum service period retain their accrued transfer points, even if transferred to their first preference location, and are recorded as placements.

Teachers willing to transfer into priority, transfer rating 4 to 7 and AMP locations will be offered a guaranteed return transfer following their minimum service period to one of their preferred geographic area locations.

Teachers wishing to apply for a rural and remote or priority transfer should submit a transfer application through the <a href="MyHR Recruitment Solution">MyHR Recruitment Solution</a>, choosing the transfer type 'Priority / Rural and Remote'.

# Transfers following priority or rural and remote service – guaranteed return transfers

Guaranteed return transfers assist to support staffing requirements in priority and rural and remote (transfer rating 4 to 7) and priority locations.

When at teacher has met the minimum service period in an AMP, transfer rating 4 to 7 or priority location they may be eligible to apply for a guaranteed return transfer.

Applications for a guaranteed return transfer in the following year must be submitted in the MyHR Recruitment Solution by the date specified by the Talent Unit each year.

The following conditions apply to guaranteed return transfers:

- teachers in AMP locations or who have over 20 transfer points must nominate at least two preferred geographic areas
- teachers less than 20 transfer points must nominate three preferred <u>geographic</u> areas
- secondary teachers must be capable of teaching at least two subject areas, neither of which are to be phased out

Teachers who meet the above criteria will be prioritised for placement into one of their geographic area preferences.

Applications for a guaranteed return transfer are to be made online via <u>MyHR Recruitment</u> <u>Solution</u> using the 'guaranteed return' transfer type.

Teachers wishing to apply for a rural and remote or priority transfer should submit a transfer application through the <a href="MyHR Recruitment Solution">MyHR Recruitment Solution</a>, choosing the transfer type 'Priority / Rural and Remote'.

## **Required Transfers**

Teachers are encouraged to explore development opportunities during career discussions with their school leader and voluntarily pursue suitable teaching opportunities by applying for a transfer or new position, or negotiating a relieving placement.

To meet the workforce planning needs of schools throughout the state or specific operational needs, the department may also require teachers to transfer. Teachers who elect not to pursue suitable teaching opportunities that have been recommended during the performance review process or career discussions with their school leader may be nominated for a required transfer.





Nominations for a required transfer can occur at any time of the year. Movements of teachers are typically tied to a calendar year to minimise disruptions to schools, however, an alternative commencement date can be negotiated between the relevant parties in exceptional circumstances to meet the needs of a particular school or staff member.

Identification and assessment of teachers recommended for required transfer:

When sufficient workforce flexibility cannot be achieved through transfers, relieving placements, internal staff appointments, or other staffing arrangements, school leaders may work with their regional HR team to recommend teachers for transfer to:

- offer teaching opportunities to teachers whose teaching practice would benefit from diverse experiences
- provide professional development opportunities to teachers who would benefit from expanding their capabilities or areas of expertise
- support school renewal, continuous improvement and innovation
- generate vacancies for teachers seeking to transfer following rural and remote service
- respond to a decrease in student enrolments that will impact school staffing allocations.

When identifying teachers for a required transfer, school leaders and HR teams are to take the following factors into consideration:

- a) breadth of teaching experience, including prior service in rural and remote locations (i.e. TR4 to 7) or other high priority locations
- b) length of service in current location
- c) professional development activities undertaken in the last 5 years (e.g. further education, additional responsibilities, relieving placements, secondments, special duties, courses, attendance or delivery at conferences or seminars) that either support the teacher in their current position or their longer-term career plans
- d) the need to create vacancies for teachers seeking to transfer following rural and remote service
- e) temporary organisational circumstances that preclude the teacher from moving from their current location
- f) personal circumstances that preclude a teacher from moving either from their current location or residence.

In addition to the eligibility criteria for transfer outlined above, school leaders must warrant that teachers they are recommending for a required transfer:

- have completed one year of permanent service
- have satisfactorily participated in the Annual Performance Review (APR) process
- are not currently involved in a formal MUP process
- are not currently involved in a formal investigation or disciplinary process that will not be concluded by the time the transfers are released
- are professionally current in at least two subjects (secondary teachers).

Human Resources will assess teachers recommended for required transfer to ensure:

- that they are eligible for potential transfer
- genuine reasons exist for the recommended transfer





a transfer is reasonable.

When suitable teachers for required transfer have been identified based on the above criteria, school leaders will consult with regional HR and identified teachers regarding the opportunity to transfer.

Teachers are expected to comply with a departmentally required transfer unless they can establish that reasonable grounds exist for the transfer not to occur.

Teachers employed by the department may be required to teach at any location in the state. If required to change residence (e.g. to another city or town) as a result of a required transfer, teachers are entitled to relocation expenses as provided for under <u>Directive 11/11</u>

— <u>Transfer and Appointment Expenses</u> and the department's <u>Relocation Entitlements</u>.

Objections may be made in accordance with section 134 of the *Public Service Act* and the department's transfer review and appeals process.

Required transfers that are facilitated at discretion of the principal and regional HR team in consultation with the teacher.

Teachers transferred under a required transfer initiated due to operational requirements as outlined above retain their accrued transfer points.

## 5. Teacher transfer placement process and considerations

Transfers are subject to the availability of suitable vacancies in relation to both teaching areas and geographic area preferences.

The relative priority order of teacher transfer requests is determined by considering transfer points, guaranteed return applicants and applicants with compassionate circumstances.

If a suitable vacancy has been identified, teachers receive a notification of their transfer placement when the regional HR team has confirmed and processed their transfer outcome.

Transfer placement start dates are subject to negotiations between the sending and receiving schools in consultation with relevant regional HR teams.

Active teacher transfer applicants will receive update communications from HR regarding the status of their transfer application in April and September regardless of the length of their application.

Teachers can check the status of their application via the MyHR teacher transfer portal.

Teacher transfer applicants are responsible for maintaining the currency of their application including preferred teaching areas and locations.

## **Transfer points**

Transfer points provide one basis for determining the relative priority order of transfer requests. Teachers accrue transfer points based on the school's transfer rating and their period of service in that location. Part-time teachers accrue transfer points at the same rate as full time teachers and are considered within the same point cohort.

Points accrue on an accelerated basis in rating 3 to 7 locations. Therefore, teachers who elect to work for longer periods in these schools increase their prospects of securing a





transfer to a preferred location when they choose to return, while schools benefit from the greater stability and stronger community integration.

Transfer ratings are also used to determine eligibility for allowances offered under the Recognition of <u>Rural and Remote Service (RoRRS) Scheme</u> and availability of departmental accommodation.

Regional HR teams calculate and validate transfer points for each applicant. For more detail about transfer ratings and transfer point calculations, please refer to the <u>Transfer</u> Ratings Guidelines.

## Compassionate circumstances

Consideration of compassionate circumstances may be required when a staff member has existing medical, environmental or personal circumstances which impact on their ability to perform the inherent requirements of their role in their current location.

Teachers may seek a transfer on compassionate grounds prior to completing the minimum service requirements at their base location.

Teachers with compassionate circumstances must apply to have their compassionate circumstances assessed prior to their application for a compassionate transfer. Refer to the *Assessment of Compassionate Circumstances Guideline* to review eligibility, assessment criteria, documentation requirements and the application process.

If a teacher's circumstances are deemed as compassionate through the assessment process, they will be invited to submit a compassionate transfer application. Compassionate status remains current for a specified period based on the recommendations of the assessment process.

#### Reasonable travel time

A transfer placement to a designated base location of up to 50 minutes driving time from a teacher's place of residence is considered reasonable. Time is calculated according to the nearest trafficable route, but should consider factors such as road and traffic conditions. Electronic trip planners such as <a href="www.googlemaps.com.au">www.googlemaps.com.au</a> or <a href="www.mydrive.tomtom.com">www.mydrive.tomtom.com</a> may be used as a guide to determine approximate driving time.

## Partners employed by the department

Where both partners in a relationship are employed by the department, the department will endeavour to transfer both employed partners to available vacancies. However, transfer of both partners is not guaranteed. The following principles apply:

- every effort will be made to ensure that the partner of a high point applicant who
  receives a transfer also receives a transfer to the same geographic area, subject to
  their meeting the eligibility requirements.
- the partner of a high point applicant who is not eligible to apply for a transfer because they have not completed the minimum service period, may apply to have their compassionate circumstances considered.
- when a classroom teacher with a classified teaching partner applies for a transfer, potential receiving regions are to ensure both can be placed before the partner is accepted as a classroom teacher. The classified partner is not guaranteed a relocation if the teaching partner is transferred. A relieve at level (RAL) arrangement





- may be a way of supporting a couple where a transfer/relocation is granted for one person, but the other is not eligible to apply.
- if a teacher's partner is seeking relocation as a classified officer, or is promoted to a classified position in another centre, the teacher completes a transfer application which will be considered in relation to the outcomes of the relocation or promotion process. Every effort will be made to place the teaching partner into a vacancy, either through transfer, compassionate transfer or on a relieving placement arrangement. It is acknowledged that this may need to vary where the relocation occurs to a rural and remote location with limited potential vacancies.

Standard provisions apply to teachers whose partner is not employed by the department.

## **Teachers impacted by Domestic or Family Violence**

A teacher affected by domestic or family violence may request a temporary or permanent placement for reasons related to domestic and family violence. These requests are considered immediately and sensitively and are handled on a case by case basis by the relevant region outside the general transfer cycle. There is no requirement for these requests to be submitted as a transfer via the MyHR Recruitment solution.

Requests are to be made to the regional HR team through the principal as the circumstances arise. To ensure the most appropriate placement is identified, teachers must advise their regional HR team of their preferred location(s), fraction and teaching subject areas. There is no requirement for staff to provide documentation, such as Domestic Violence Orders, Statutory Declarations or other formal documentation, in support of a request related to domestic and family violence. However, if staff hold such documents and wish to make them available to the department to support their circumstances, these documents can be provided for noting and will be returned to the staff. All sensitive information will be treated with the strictest confidence.

Where required, the department supports the payment of relocation expenses. Further details on Relocations Expenses are set out below.

For the purposes of these guidelines, the definitions of domestic and family violence set out in the <u>Supporting Staff affected by Domestic and Family Violence Policy</u> apply. Further information on the support available for affected staff members is available on the department's Domestic and Family Violence website.

## 6. Relocation Expenses

Transferring teachers may be eligible for relocation expenses detailed in the <u>Relocations</u> <u>Entitlements (Appointments and Transfers)</u> guidelines.

Relocation expenses may be payable for requested and required transfers. Relocation expenses not paid for compassionate transfers, unless in extenuating circumstances.

The receiving regional HR team determines eligibility for standard relocation expenses and negotiates travel and removal expenses. Any requests for the department to pay expenses in addition to those set out in the <u>Relocations Entitlements (Appointments and Transfers)</u> guidelines are referred to the Talent Unit, Human Resources for approval.

# 7. Transfer Reviews and Appeals

Teachers are to discuss concerns with a transfer decision with their base school principal in the first instance.





If the matter cannot be resolved following these discussions, the teacher may submit a written request for review to their base school principal when:

- a request to transfer has not been granted or
- the department requires a teacher to transfer, but the teacher believes that there are reasonable grounds to preclude the transfer\*.

The following formal review process applies to decisions for transfer requests and required transfers, and must be taken in line with the <u>published timelines</u>. The teacher may choose to be represented by an officer of the QTU or member of a professional association, or involve a support person of their choice during the process.

\* Objections against a required transfer are made in accordance with section 134 of the Public Service Act 2008

#### Local action

During the first step in the review process, the base school principal will attempt to resolve the matter at the local level in consultation with their regional HR consultant. The teacher's written request for a review must include sufficient information to enable their concerns to be resolved, including any action that the teacher would like to be taken.

A meeting or teleconference will be held with the teacher, a member of school administration and regional HR consultant to discuss the teacher's concerns. The teacher may invite a representative of the QTU, professional association or other support person to attend.

The teacher is to be advised in writing of the outcomes of the discussions, including the action taken to manage the concerns and information considered, reasons for the decision, any further action to be taken, and the next steps in the review process.

#### Internal review - Regional review panel

If the teacher's concerns are not resolved at the local level, the teacher may request that the decision be reviewed by the Teacher Transfer Review Panel.

On receipt of a request for review, the region will convene a review panel comprised of at least 2 members, excluding the original decision maker. Requests for review will not be considered if lodged outside of the published review and appeal timeframes. The panel is required to consider the grounds of review and all supporting documentation against the Teacher Transfer guidelines in a thorough, fair and impartial manner and with regard to protecting teachers' privacy. The panel may make a recommendation to:

- confirm the decision that a transfer cannot be determined at this time (for teacher transfer requests)
- confirm the decision requiring a transfer to a particular location (for required transfers)
- set aside the original decision and substitute another (for all transfer types).

The teacher will receive written notification of the review decision, including the reasons for the decision, information considered and the next steps in the review process.





Please note that the original decision remains in effect during the appeals process, unless it is a geographic relocation requiring a change of residence (ie transfer expenses are involved).

## Review upheld

Teacher transfer request: If the original decision is set aside and it is determined that a requested transfer should occur, regional HR teams will work together to identify a school into which the teacher will be transferred. Consideration is given to a suitable vacancy arising within any of the geographic areas/regions nominated in the original application, or deemed to be within reasonable distance from those nominated. Notwithstanding the commitment to find a suitable vacancy, the teacher will remain in their current position and location until a suitable transfer can be effected.

If the panel confirms that a transfer cannot be determined at this time, the teacher will be advised of this decision, and the transfer application will continue to be considered within the teacher transfer pool for vacancies as they arise. The teacher will continue to be formally notified each 12 months from the term they submitted their application, until a transfer is confirmed.

Required transfer: If the original decision is set aside and it is determined that a required transfer should not occur because reasonable grounds exist, the teacher will remain at their current school, or if necessary, be accommodated at another school in the same geographic area. This does not exclude the possibility of a subsequent transfer to another location.

#### External review - Queensland Industrial Relations Commission

A teacher may lodge an appeal against the outcomes of the internal review process with the Queensland Industrial Relations Commission.

Further information regarding reviews or appeals please refer to the <u>Public Service</u> <u>Commission Directive 07/20 – Appeals</u> and <u>Public Service Appeal Guide</u> or contact your <u>regional HR team</u>.

### 8. Definitions

For the purposes of these guidelines, the following definitions apply:

**Transfer**: teacher movements that occur through the transfer process, including:

- Requested transfer: teacher requests a transfer to another location (not applying for a guaranteed return, priority/rural and remote or compassionate transfer)
- Priority/rural and remote transfer: transfer to a transfer rating 4-7 or priority location
- **Guaranteed return transfer**: teachers who have completed rural or remote service in a priority or transfer rating 4-7 location and request a return transfer
- Compassionate transfer: teacher transfer request on compassionate grounds
- Required transfer: transfer initiated by the department according to operational need.

**Placements**, including teachers returning from leave and other mandatory teacher movements, occur independently from the transfer process and **do not require a transfer application** to be submitted, and may include teachers who are:





- returning from a period of short-term leave (i.e. less than 12 months)
- returning from a period of family responsibility leave
- returning to their substantive location after relieving in another location or role
- returning from secondment (e.g. Education Officer (Special Duties, Education Adviser)) or in-service course
- seeking a change in employment fraction in their current location
- affected by domestic and family violence and seeking placement at another location
- requiring placement following the closure of a school or reduction in the school's establishment, and
- relinquishing a classified officer position.

Footnote: 1 Teachers returning from family responsibility leave are to be placed in a school location equivalent to their pre-leave location.

Please note that only teachers transferring from AMP locations to a preferred location, or because they are affected by domestic or family violence, are recorded as placements. All other transfer types are to be recorded in the HR system as transfers.

Teachers subject to a placement process may also request a transfer, or be required to transfer, subject to the teacher transfer provisions.

## 9. Delegations

Delegated authority holders are set out in the Human Resource Delegation Manual.

## 10. Key Contacts

Further information is available from <u>regional HR teams</u>.

#### 11. Useful resources

For further information please refer to the <u>Teacher Transfers</u> page on OnePortal or contact your <u>regional HR team</u>. Useful reference documents include:

MyHR Recruitment Help Guides for teachers, principals, HR consultants and finance staff

Relocation Entitlements

Relocation Entitlements Overview (Transfers)

**Teacher Transfer Ratings** 

Alcohol Management Plans

Rural and Remote Benefits

Public Service Appeal Guide

# 12. Legislative or other authority

Public Service Act 2008

<u>Minister for Education and Industrial Relations Directive 11/11 – Transfer and Appointment Expenses</u>





Public Service Commission Directive 07/20- Appeals

Department of Education and Training State School Teachers Certified Agreement 2016

# 13. Guideline Ownership

Talent Unit, Human Resources



