

EAST AYRSHIRE COUNCIL JOINT NEGOTIATING COMMITTEE FOR TEACHERS

WORKING TIME AGREEMENTS AND ASSOCIATED CALENDARS

1. BACKGROUND

This policy has been developed jointly by Joint Consultative Committee. It is not intended that any information in this document will override National Terms and Conditions of Service for Teachers as outlined in the SNCT handbook.

2. PURPOSE

To clarify to all staff how the 35 hour working week as described in “A Teaching Profession for the 21st Century” (TP21) can be implemented effectively at establishment level and be used to manage workload.

3. BASIC PRINCIPLES

3.1 The JNCT has agreed this policy on the expectation that all staff operate under the following principles:

1. Staff will work together in a culture of mutual respect;
2. The Working Time Agreement (WTA) is a document which requires the agreement of teaching staff after negotiation between teacher representatives and the Headteacher. A dialogue will be entered into on each occasion when a new WTA is to be agreed for the following school session;
3. Appropriate time will be provided for negotiation of the WTA;
4. There will be a commitment to open dialogue and shared responsibility for setting of priorities within the School Improvement Plan (SIP);
5. The WTA outlines the activities to take place up to a maximum of 190 hours per session. This is calculated on 5 hours x 38 weeks of each session.

3.2 The WTA is the most effective way for staff to manage their workload and ensure they do not exceed a 35 hour working week. The WTA will therefore be linked to the priorities within each establishment’s SIP and as such each priority will be time costed and achievable.

3.3 The WTA and associated school calendar will be planned such that teachers are able to carry out their duties within the 35 hour working week. Once agreed, the WTA and associated school calendar will form part of a teacher’s contract for that school year.

3.4 The 35 hour working weeks applies to part time staff or those who job share on a pro rata basis, e.g. a teacher working 0.5 FTE in a school with 8 hours of staff meetings would be expected to attend 4 hours of meetings. Should it not be possible to fulfil this obligation, agreement should be reached through negotiation as to other appropriate activities which could be undertaken. Teachers on pro rata arrangements are not required to undertake collegiate activities, other than parents’ meetings, on a day where they are not employed,

4. THE WORKING TIME AGREEMENT

4.1 The Working Time agreement can be subdivided into a number of different categories. Below is guidance regarding some of these categories. The list is not exhaustive. Further information is contained within Appendix A (Primary/Nursery/Special), Appendix B (Secondary) and Appendix C (Peripatetic Teams).

CONTINGENCY	“A Teaching Profession for the 21 st Century” states that It is neither desirable nor practical to have every hour of the 35 hour school week accounted for in the whole session. The unforeseen activities for which contingency time may be used require negotiation and agreement by all parties; reasonable notice being provided. Contingency hours which are not used automatically revert to the use of teaching staff for preparation, planning or assessment and can be completed at a time and place of the individual teacher’s choosing.
TRADE UNION MEETINGS	A minimum of 3 hours per session should be scheduled into the school calendar. These meetings form part of collegiate activities in the WTA and, as such, should be seen as obligatory in terms of scheduling and attendance.
PARENT MEETINGS	Each meeting counts as 5 hours, no more than 2 hours of which should be allocated to consultation with parents. In the event that more than 2 hours are allocated to consultation with parents, the overall allocation to a Parent Meeting should be adjusted proportionately. The available collegiate hours in any given week do not allow for the practice of scheduling more than one Parent Meeting in a working week.
STAFF MEETINGS	The duration of these should be agreed in advance and stated in the school calendar which is submitted to the Joint Secretaries prior to the commencement of the school year as per paragraph 5.3.
DEPARTMENTAL MEETINGS	To be negotiated and agreed with staff as appropriate. Scheduling should be agreed collegiately and in advance.
CURRICULUM DEVELOPMENT may include: Collaborative meetings Working Groups Individual curriculum development	Within the working time agreement balance will be required between the time needed for the delivery of routine aspects of teaching and the time available to work on curriculum development activity. This may result in the displacement of other work not indicated in the SIP. Each sub category within the Curriculum Development category should have a specific number of hours allocated to it for the purposes of clarity. The list of sub categories shown on the left is not exhaustive.

PRIMARY PLANNING may include: Weekly Planning Termly Planning Overviews Target Setting Transition	Planning formats and paperwork have become burdensome. The Scottish Government stated that they “[are] absolutely committed to liberating the teaching profession from unnecessary bureaucracy to enable it to do what it does best – teach...” and advises that teachers “don’t do anything unless it is relevant to the learner’s journey”. John Swinney, DFM, 29 August 2016. This places the onus on schools to rethink the paperwork associated with planning, tracking and assessment and schools will re-evaluate paperwork annually to ensure its worth. Planning will be streamlined wherever possible in order to make more time available for other collegiate activities. Time allocated will accurately reflect the time taken for the preparation of all planning documents. Each sub category within the planning category will have a specific number of hours allocated to it for the purposes of clarity.
FORMAL ASSESSMENT may include: Interim/Full Reports SNSA ILPs/ IEPs/ PAPs Baselines Preparation for Tracking dialogue Numeracy/Literacy Overview/planners Moderation Internal Verification National Qualifications	Time allocated will accurately reflect the time taken for the preparation of all reporting. Time for reporting will be allocated on the basis of the maximum number of children in the largest class, e.g. class size maxima of 33 in classes above P3 within the Primary sector (not allocated on an average-class-size basis). Each sub category within the reporting category will have a specific number of hours allocated to it for the purposes of clarity. Standardised assessments (SNSA) are now mandatory in P1, P4, P7 and S3. Time will be allocated to teachers for appropriate training, the preparation of testing and for the analysis of the data which is collected as a result. Whilst SNSA do not apply to all staff in a school, time will be allocated within the WTA in order that the teachers affected are able to undertake their duties within a 35 hour week.
SUPPORTED STUDY	Where a teacher receives additional payment for supported study, the work in connection with supported study does not form part of the WTA.
ADDITIONAL SUPERVISED PUPIL ACTIVITIES	Teachers are under no obligation to participate in the supervision of extra-curricular activities which are not recognised in the Working Time Agreement.
PROFESSIONAL UPDATE/PRD	Time will be allocated within the WTA for Professional Update, any PRD meetings and associated paperwork, otherwise time should be allocated for completion within the school day.
ADDITIONAL CONTRACTUAL CPD/CLPL	Over and above the 35-hour week, teachers are required to undertake and have an entitlement to a maximum of 35 hours CPD/CLPL per annum.

4.2 Tasks which do not require the teacher to be on establishment premises can be carried out at a time and a place of the teacher's choosing.

4.3 Promoted staff require time within the 35 hour week to undertake the duties associated with their post, this to come from a reduction in class contact and associated preparation & correction time.

4.4 When negotiating the WTA, all parties need to be clear about what can be achieved over each school session. In considering this, account should also be taken of in-service days available to take forward curricular developments, including aspects of planning, assessment and moderation.

4.5 Any activities which are not pertinent to the delivery of routine aspects of teaching or do not contribute to the introduction or progression of an aspect of the SIP should be re-evaluated and deferred where appropriate.

4.6 Teachers are obligated only to undertake duties during the school session which have been agreed in advance through the WTA. Should the need to re-prioritise the SIP arise during the course of the session, existing scheduled meetings may be used to address new priorities.

4.7 Participation in activities which necessitate additional hours outwith the normal school day, such as school fayres, school shows, summer schools, etc is voluntary and does not count towards the 35-hour week.

4.8 Submission of WTAs will conform to the format in Appendices A (Primary/Nursery/Special), B (Secondary) or C (Peripatetic Teams) of this document which will be made available to all Heads of Establishments via the office of the Head of Schools on an annual basis.

5. THE MONITORING CALENDAR

5.1 The Monitoring Calendar (Appendix D) is used by the Joint Secretaries as a tracking mechanism to ensure that teachers are able to carry out their duties within the 35 hour working week. In a week where more than 35 hours has been agreed - for example, due to a round of reporting allocated more than 5 hours - the week(s) previous to this will be adjusted accordingly in terms of planned activities.

5.2 The Monitoring Calendar will be negotiated, agreed and completed prior to the start of each session in order to regulate the 35 hour working week.

5.3 Prior to the start of each school session, establishments will be expected to submit to the office of the Head of Education two documents: Appendix A, B or C (signed by staff and management representatives) and Appendix D.

6. INFORMAL DISPUTE PROCEDURE

6.1 In the event that staff are unable to reach an agreement over WTA and the associated calendar, or at the request of a TU representative, the “Informal Dispute Procedure” can be invoked.

6.2 The Informal Dispute Procedure will be enacted by the Joint Secretaries of the JNCT on receipt of notification from a Head of Establishment of the failure to reach an agreement, or at the request of a trade union representative.

6.3 Under the Informal Dispute Procedure the JNCT will convene a panel composed of management and trade union representatives for the purpose of resolving the dispute. These members will investigate and attempt to resolve the dispute.

6.4 Where no resolution is reached, the JNCT will be informed and other EAC policies may be invoked, including formal grievance, where appropriate.

7. REVIEW

7.1 The JNCT will continue to monitor WTAs and associated calendars on an annual basis to ensure that teachers are able to carry out their duties within the 35 hour working week.

7.2 Where it is found that establishments are non-compliant with a 35 hour working week, JNCT advice to this effect will be issued. It is expected that this advice will inform future WTA negotiations.

8. CONCLUSION

8.1 Although the guidance within this document considers a range of different issues which may arise during the negotiation of the WTA and associated calendar of collegiate activities, it is expected that some degree of flexibility will apply, and that the professionalism of teachers will be respected. The terms of the WTA and associated calendar will observe national Terms and Conditions of Service for Teachers as outlined in the SNCT Handbook.