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Dear Colleague

NGT/14
Working Time Arrangements : Guidelines for Schools
Sessions 2004/2005 and 2005/2006

1. Agreement has been reached by the NGT on the working time arrangements that will apply for sessions 2004/2005 and, unless otherwise notified, 2005/2006.
2. The agreement recognises changes that are taking place:
 - The introduction of the new management structures in schools from August 2004.
 - The reduction in class contact time for primary teaching staff to 23.5 hours from August 2004.
3. There continues to be a key role for the School Based Negotiating Committee (SBNC) in reaching agreement at school level on the application of the guidelines.
4. The full terms of the NGT agreement are set out in the appendix to this Circular.

Yours sincerely

Ann Carnachan (Management Side)
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Joint Secretaries

**Working Time Arrangements : Guidelines for School
Sessions 2004/2005 and 2005/2006**

1. Introduction

1.1 These guidelines replace the previous guidelines and, unless otherwise notified, will apply for sessions 2004/2005 and 2005/2006.

1.2 As from August 2004 the 35 hour working week for teachers will be on the following basis:

(i) Primary, nursery and secondary teachers will have:

- a maximum class contact teaching commitment of 23.5 hours
- an allowance of 8.0 hours available for preparation and correction associated with their class contact
- 3.5 hours available for collective activities.

(ii) Special education teachers will have:

- a maximum class contact teaching commitment of 22.5 hours
- an allowance of 7.5 hours available for preparation and correction associated with their class contact
- 5.0 hours available for collective activities.

1.3 The time available, both for preparation and correction and collective activities, falls within the 35 hour week. The use of time within the pupil day not involving class contact should be determined at school level. It should be understood that the pupil day has no contractual relevance for teaching staff.

1.4 Within these guidelines the time available for collective activities has been annualised on the basis of the working year of 195 days being expressed as 39 weeks.

Primary/nursery	136.5 hours
Secondary	136.5 hours
Special	195 hours

1.5 The Code of Practice in the National Agreement 'A Teaching Profession for the 21st Century' states:

'The individual and collective work of teachers should be capable of being undertaken within the 35- hour working week.'

There should be, therefore, no aggregation of working hours over any period longer than a week.

1.6 All teachers have an additional contractual maximum of 35 hours CPD per annum.

1.7 Schools will need to reach agreement on

- (i) the operation of the 35-hour week
- (ii) how the CPD element is to be undertaken.

This advice is aimed at helping schools reach agreement in a manner that meets the spirit of the National Agreement.

1.8 The manner in which schools reach agreement is very important. **Arrangements made at school level must continue to have the agreement of staff through the School Based Negotiating Committee.**

1.9 The teaching trade unions recognised by Falkirk Council for negotiating purposes are the EIS and SSTA.

1.10 The guidelines which follow are based on the **CODE OF PRACTICE ON WORKING TIME ARRANGEMENTS FOR TEACHERS** (Annex D of the National Agreement)

2. The 35-Hour Week

2.1 As stated previously, the National Agreement states:

'The individual and collective work of teachers should be capable of being undertaken within the 35 hour working week.'

This applies to all grades of teaching staff, including those in promoted posts. This is the guiding principle behind these guidelines and must apply to agreements made at school level.

2.2 What are not acceptable are structures at school level that appear to establish a time-keeping mentality. The 35 hour week is a mechanism to control teachers' workload, not a means to control their time.

2.3 Time and Place for Activities

2.3.1 Attention is drawn to the following part of the agreement:

'All tasks which do not require the teacher to be on the school premises can be carried out at a time and place of the teacher's choosing. Teachers will notify the appropriate manager of their intention in this respect.'

2.4 Cover and Class Contact Time in Secondary Schools

2.4.1 There are staff who will be timetabled for less than 23.5 hours class contact. If it is anticipated that teachers may be required to cover for absent colleagues, etc it has to be remembered that such cover counts as class contact time. Building in a factor for cover is sensible and the guidelines are based on the assumption that secondary staff have a 23.5 hour a week class contact.

2.5 Management Time for Promoted Postholders

2.5.1 The National Agreement states that

'Managers require time for additional duties outwith teaching and associated preparation in order to fulfil their broad professional duties.'

2.5.2 To enable promoted staff to undertake their managerial duties, the aim will be to ensure that appropriate time, within the 35-hour week, is available. The following allocations are the minimum that will apply:

Primary/Nursery

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| (i) | Headteachers | 0.4 FTE non-class committed |
| (ii) | Depute Headteachers | 0.3 FTE non-class committed |
| (iii) | Principal Teachers | 0.2 FTE non-class committed |

Secondary

- | | | |
|------|---------------------|-----------------------------|
| (i) | Depute Headteachers | 1.0 FTE non-class committed |
| (ii) | Principal Teachers | 0.5 FTE non-class committed |

2.6 The Balance of Time in Primary/Nursery Schools for Collective Activities

2.6.1 There are 136.5 hours allocated time in these sectors. The following model, based on an aggregation across the school session, should apply:

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|-----|------------------------------------|------------|
| (i) | Parents' meetings (planning for 3) | 10.5 hours |
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Within this time allowance, each parents' meeting should have one hour allocated for preparation. It should be recognised that classroom assistants can assist in the preparation for parents' meetings.

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|------|--------------------------------------|----------|
| (ii) | Curricular/Pastoral/Stage activities | 87 hours |
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These to include, eg curricular/pastoral meetings, stage meetings, team meetings, assessment and reporting procedures, 5-14 procedures, forward planning, tracking and mentoring issues, development plan priorities, National Assessment marking, pupil support procedures, etc.

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|-------|-----------------------|----------|
| (iii) | Collegiate activities | 39 hours |
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These to include, eg management team meetings, staff meetings, working groups, SBNC meetings, professional review and development/CPD meetings, meetings with external agencies, additional supervised pupil activity, time to carry out school-based trade union duties. A flexibility factor should be built in for unforeseen circumstances.

Out of school hours learning activities can be included within the category of 'additional supervised pupil activity'. When teachers are involved in such activities beyond the contractual hours they will be paid in line with Education Service guidelines.

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| (iv) | Following agreement within the SBNC, hours may be re-allocated between the above categories provided they remain within the 136:5 total hours available. |
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2.7 The Balance of Time in Secondary schools for Collective Activities

2.7.1 There are 136.5 hours allocated time in Secondary. The following model, based on an aggregation across the school session, should apply:

- (i) Parents' meetings (planning for 5) 17.5 hours

Within this time allocation, each parents' meeting should have one hour allocated for preparation.

- (ii) Departmental /Curricular/Pastoral/ activities 80 hours

These to include, eg curricular/pastoral meetings, departmental activities, assessment and reporting procedures, SQA procedures, tracking and mentoring issues, development priorities, prelim marking, pupil support procedures, etc.

- (iii) Collegiate activities 39 hours

These to include, eg management team meetings, staff meetings, working groups, SBNC meetings, meetings with external agencies, professional review and development/CPD meetings, PT meetings, time to carry out school/based trade union duties, additional supervised pupil activity, additional meetings with parents (eg subject choice/transition). A flexibility factor should be built in for unforeseen circumstances.

Out of school hours learning activities can be included within the category of 'additional supervised pupil activity'. When teachers are involved in such activities beyond the contractual hours they will be paid in line with the authority guidelines.

- (iv) Following agreement within the SBNC, hours may be re-allocated between the above categories provided they remain within the 136.5 total hours available.

2.8 The Balance of Time in Special Schools for Collective Activities

2.8.1 There are 195 hours available in this sector. Special schools should allocate hours under the headings above:

- (i) Parents' Meetings
(ii) Curricular/Pastoral Activities
(iii) Collegiate Activities

2.8.2 It is for the SBNC to reach agreement on the allocation of hours to each of the above categories provided they remain within the 195 hours available.

3. **School Decision Making Arrangements**

3.1 Attention is drawn to the following parts of the national agreement:

'Each education establishment will prepare a school plan in accordance with the Standards in Scotland's Schools etc Act. This plan will reflect establishment, local and national priorities.'

'Teachers have a responsibility to work co-operatively with colleagues and others to pursue the overall objectives of the service.'

- 3.2 The mechanism for reaching agreement continues to be through the School Based Negotiating Committee (SBNC). All schools will submit their SBNC agreed working arrangements to the Negotiating Group for Teachers (NGT) on the attached pro forma.
- 3.3 SBNC should continue to be constituted in line with previous practice.
- 3.4 In nursery/primary/special schools, where there are fewer than 10 teachers, the SBNC will comprise all members of teaching staff and agreement should normally be reached on the basis of consensus.
- 3.5 In larger schools the SBNC will comprise Headteacher; at least one representative from each of the recognised teacher trade unions; and elected teachers on a basis reflecting a ratio of 1:20. Where there are fewer than 20 teaching staff a minimum of 2 teachers should be elected.
- 3.6 All staff must be involved in the decision-making process as regards the timing of whole school collegiate activities and parents' meetings and the general application of this agreement.
- 3.7 This school application of time should be agreed during the summer term for the following session. It is recommended that 10% of the available time be left flexible to allow for unforeseen circumstances.
- 3.8 The Code of Practice states that:

'...Discussions on working conditions at local level will require to be supported by effective consultative arrangements at establishment level that ensure full participation by all staff...Discussions will be led by the Headteacher as overall manager and the person ultimately accountable for the activities of the school.'

The basis for the school agreement must be to take forward the aims identified in the School Development Plan and the Education Service Performance Plan. In reaching agreement on the operation of the 35 hour week, it is incumbent on all members of a school's SBNC to do so in the spirit of co-operation referred to in 1.3 and 3.1. Each SBNC is to agree, the timing of whole school collegiate activities and parents' meetings and the general application of these guidelines.

- 3.9 In order to reach agreement on the timing of the annual programme of activities, which require the involvement of teachers and the implementation of these guidelines, the SBNC will produce a draft timetable for agreement by a majority of all teaching staff. Once this agreement is reached it will apply to all teaching staff in the school. This agreement must be submitted to the Joint Secretaries of the NGT on the attached form by the date on the form.
- 3.10 Where there is a failure to agree at the SBNC, the advice of the Joint Secretaries of the Negotiating Group for Teachers (NGT) should be sought in order that a resolution can be reached.
- 3.11 Prior to reaching agreement on the programme for 2005/2006, schools should evaluate the implementation of their school-based agreement for 2004/2005.

4. CPD

- 4.1 As part of the National Agreement an additional contractual maximum of 35 hours of CPD must be undertaken by all teachers.
- 4.2 CPD has been incorporated into the Council's agreement on Professional Review and Development. Every member of staff's CPD is to be agreed with his/her line manager. This is part of the annual professional review and development interview and further guidance has been provided to every teacher.
- 4.3 The agreement on an annual CPD plan should take into account the fact that a number of CPD opportunities will only become known during the course of the year and therefore time should be set aside to allow for additional CPD activity to be included in the annual plan at a later date.
- 4.4 **The objective in constructing the annual CPD plan must be to address genuine needs to the extent that the availability of suitable opportunities permits, and not to fill the available hours mechanistically.**

