



## **SOUTH AYRSHIRE COUNCIL**

# **JOINT NEGOTIATING COMMITTEE FOR TEACHERS (other non devolved matters)**

## **35 Hour Week Agreement (JNCT2.7)**

## 1 Introduction

The Educational Services Directorate is committed to working with teachers' and Head Teachers' representatives, through the JNCT, to ensure the successful and continuing implementation of the 21<sup>st</sup> Century Agreement.

The Committee's intention is to fulfil the aim of developing working relationships which will be based on "mutual respect and understanding, on shared responsibility and on shared development of ideas and programmes for change." In this way we intend to promote collegiality at all levels and to build "a confident and highly regarded teaching profession".

As indicated in previous versions of this guidance there will no longer be a standard school day. The working week for teachers is 35 hours and the core of the week will be the pupil week, the length of which remains unchanged, and around which teachers will fulfil the remaining hours.

The 21<sup>st</sup> Century Agreement requires that each school agrees a school plan for the 35 Hour Week. The Code of Practice on Working Time Arrangements for Teachers (SNCT Part 2 Appendix 2.7) demands that mechanisms for negotiating such agreements at school level should be determined at local authority level through the JNCT. These guidelines therefore represent the agreed view of the JNCT and are designed to assist schools in reaching agreement on the way in which this will operate within their establishment.

## 2 General

2.1 It should be noted that the individual and collective work of all teachers should be capable of being undertaken within the 35 hour week. It is recognised that previous guidelines and practices failed to adequately address the workload issue. These revised guidelines are designed to assist in improving that situation and allocated times have been adjusted to be more realistic in terms of time required for the various and varied tasks undertaken by teachers.

2.2 The allocated times outlined in Appendix 1 represent the default position. Alterations to these time allocations are possible but only by agreement. School Negotiating Groups may wish to consider whether time set aside for collective activities can be amended to accommodate individual priorities of teaching staff.

2.3 It is hoped that the guidance contained in Section 16 of this agreement and in Appendix 3 will assist in the process of monitoring and reviewing agreements.

Agreements reached at school level must abide by the general principle of the 35 hour week. In planning the school calendar consideration will have to be given to peaks of teacher activity such as formal assessment or reporting. Again it is stressed that the 35 hour week should be the norm and that any exceptions must be agreed. For this reason Appendix 1 shows the annual total of hours available.

2.4 The intention is to plan ahead for a school year which fulfils the requirement of a 35 hour week for all teachers. This is intended to provide a mechanism for controlling teachers' workload. It is not intended that there should be any mechanism put in place for tracking time on a daily or weekly basis.

2.5 The school 35 hour week agreement should be closely linked to the school improvement plan which must be realistic in ambition and be capable of being achieved in the context of a 35 hour working week.

Once the school plan has been agreed, individual teachers should map their commitments against the school plan and reach agreement with their line manager about the use of the remaining time or 'balance of time'.

### **3. Class Contact Time**

- 3.1 The maximum class contact time in all sectors has been 22.5 hours per week since August 2006.
- 3.2 For all probationer teachers on the National Induction Scheme, there is a maximum class contact time of 18.5 hours per week. South Ayrshire JNCT has agreed that this will be implemented flexibly in line with advice from the GTCS that recommends an initial maximum of 18 hours per week.
- 3.3 From 1 August 2014 SNCT 14/43 Code of Practice on Working Hours, Working Week will take effect. Where there is a collegiate agreement in the School's Negotiating Group on a planned, flexible approach to working hours within an individual establishment and the national criteria is met, a school can develop an alternative approach to working hours. Any such planned approach should be submitted to the Joint Secretaries of the Joint Negotiating Committee for Teachers in advance of implementation for confirmation that they meet the national criteria.

### **4. Personal Allowance**

- 4.1 An allowance of no less than one third of teachers' class commitment time is provided for preparation and marking. As it is impossible to predict in advance the amount of class cover any individual teacher may be asked to provide, it will be necessary, for planning purposes to assume maximum class contact.

### **5. Assessment, Reporting and Recording**

- 5.1 The JNCT recognises the significant changes that are taking place in the area of assessment, reporting and recording therefore proposes that the 50 hours allocation of time be increased to 60 hours.
- 5.2 It remains the duty of teachers to formally report on the work of their pupils. These guidelines assume one full written report to parents per pupil per session.
- 5.3 Any additional reporting, including interim reports, should be agreed as part of the school 35 hour week agreement.
- 5.4 It is acknowledged that the process of reporting remains very time consuming. The JNCT will continue to review the process and format of reporting in order to determine whether they can be streamlined without significant loss of quality.

### **6. Meetings with Parents**

- 6.1 The allocation for meetings with parents has been retained at a maximum of 30 hours in all sectors. Such Parents' Meetings will normally take place during the evening but could be end-on to the school day subject to the school agreement or even outwith the formal Parents' evening structure.
- 6.2 Staff should not take appointments beyond 2.5 hours per Parents' Evening accepting that there will be some slippage in the agreed timetable.
- 6.3 Normally, staff would not be expected to attend for groups which they do not teach nor have any wider responsibility. Staff are not required to remain when their appointments are completed.

## **7. Staff Meetings**

- 7.1 Staff meetings take various forms e.g. whole school meetings, stage and departmental meetings, guidance/pastoral team meetings, management meetings, working groups.
- 7.2 Such meetings can take place during or end-on to the pupil day. It is for each establishment to determine suitable arrangements as part of the school agreement.
- 7.3 It would normally be unacceptable for any individual meeting to last longer than 2 hours.

## **8 Management Time**

- 8.1 Notwithstanding Section 3.3 above, the SNCT Handbook states that maximum class contact time is 22.5 hours per week. For Secondary teachers this is roughly translated as 27 periods of 50 minutes in a 33 period week. Therefore in a 33 period week there is a minimum non-contact time of 6 periods.

Furthermore teachers' hours are set at 35 per week

These 35 hours are divided into 3 distinct segments:

Contact Time – 22.5 hours maximum

Personal Time – 1/3 of contact time, maximum 7.5 hours

Collegiate Time – 5 hours.

- 8.2 Collegiate time is annualised and a number of activities are prescribed and allocated “fixed” times in the SAC Guidelines on the 35 hour week. Any remaining time is referred to as the “Balance of Time” and can be used, by agreement, for a variety of activities laid out in SNCT Part 2 Appendix 2.7.

In terms of the prescribed activities some of the time allocated to these activities can clearly be used for Management tasks e.g. Planning, Department Meetings

- 8.3 It is assumed in the SAC Guidance that all non-promoted staff teach to a maximum in order to allow for cover requirements. They are also allocated the full 7.5 hours personal time
- 8.4 In Secondary Schools Heads, Depute Heads and PTs were previously allocated Management Points on a roll-based formula. The job-sizing tool-kit changes the basis for SMT and PT payments from a simple roll basis to a number of other criteria
- 8.4 The basis for calculating Management Time has been changed to take account of the 35 hour week and the 3 segments of time.
- 8.5 Job Sizing was designed to measure the extent of the Management task and therefore the allocation of Management time to PTs should be in proportion to their placing on the new salary scales after job-sizing. That principle should also apply to Depute Heads to ensure equity and transparency. The agreed formula should apply in all Nursery, Primary, Secondary and Special Schools
- 8.6 There should be a sliding scale of management time for Heads, Depute Heads and Principal Teachers (other than Principal Teachers – Guidance) as contained in Appendix A of the Devolved School Management scheme.

- 8.7 All promoted staff require allocated time to undertake the management duties pertaining to the post.
- 8.8 Time available to Depute Head and Principal Teachers (other than PT's Guidance) is therefore 6 periods plus the appropriate Management Time indicated below in Secondary and Special Schools
- 8.9 An agreement was reached in 2003 that the minimum management time available to Principal Teachers (Guidance) should be 10 periods and that is confirmed by this agreement.

<u>Post</u>	<u>Job size</u>	<u>Management Time (Periods)</u>
HT(Secondary)	n/a	
DHT	1	10
DHT	2	11
DHT	3	12
DHT	4	13
DHT	5	14
DHT	6	16
DHT	7	17
DHT	8	18
DHT	9	19
DHT	10	20
PT	PT 1	2
PT	PT 2	2
PT	PT 3	3
PT	PT 4	4
PT	PT 5	5
PT	PT 6	6
PT	PT 7	7
PT	PT 8	8

**NB** The Default position is that all teachers have a maximum contact time of 22.5 hours.

- 8.10 Appropriate Management Time for Head Teachers in Primary Schools should follow a similar pattern to that of Secondary Schools as outlined in Appendix A of Devolved School Management Scheme. Due to issues of affordability in 2011, the management allocation to Principal Teachers in primary schools was reduced by 0.1fte for schools with entitlement to 3 or 4 PT's as summarised below:

<u>Roll Band (incl pupils in sen bases/units and fte nursery class pupils)</u>	<u>HT Post **</u>	<u>DHT Post***</u>	<u>PT Post ***</u>	<u>Total Mgt Time</u>
0 – 50	1	-	0.5	0
51 – 100	1	-	1	0.1
101 – 200	1	1	1	0.2
201 – 300	1	1	2	0.3
301 – 400	1	1	3	0.3
401 – 500	1	1	4	0.4
501 - 600	1	2	4	0.5
601 - 700	1	2	5	0.6

- \* Promoted post structure will be changed if the roll has remained within the new band for 2 academic years
- \*\* In shared headship arrangement each school will share a single Head Teacher normally equivalent to 0.5fte per school
- \*\*\* A review is underway to achieve further management savings in primary schools to be implemented in the 2015/16 and 2016/17 academic years, including reduction in management posts/time

8.11 Where there is a Shared Headship arrangement between two primary schools, provision should be made for a Principal Teacher to be appointed on a proportionate basis to cover the times when the Head Teacher is not in school.

## **9 Use of Balance of Time**

9.1 This agreement specifies the time allocation for a variety of collegiate activities. The additional time (that is, beyond class contact time, personal allowance and specified collegiate activities) shall be referred to as the 'balance of time'.

9.2 The use of that 'balance of time' will be subject to agreement between the individual teacher and their line manager at school level with due consideration being given to the specific requirements of that individual teacher. (*Appendix 2*). The range of appropriate activities is listed in SNCT Part 2 Appendix 2.7.

9.3 It may be possible for some teachers to have a proportion of their commitment to extra-curricular activities recognised within the 35 hour working week. However, generally speaking, involvement in extra-curricular activities is seen as a voluntary commitment.

## **10. Planning**

10.1 The JNCT recognises the significant changes that have taken place in planning in its various forms e.g. forward planning; development planning; individual education plans; personal learning planning etc. We therefore propose to retain the time for planning at 25 hours

It is further recognised that many of the current planning processes are bureaucratic and time-consuming and the JNCT will continue to monitor and review the various processes with a view to simplification.

## **11. Formal Assessment**

Where appropriate time should be allocated to take account of assessments of a summative nature which are part of a national framework.

## **12. Personal Review and Development**

12.1 For the school year 2014/15 the 2 hours allocated for each individual review has increased to 3 hours. This will include time for self evaluation against the relevant GTCS Standard(s) and the 5 yearly Professional Update. This time allowance will be reviewed prior to the 2015/17 academic session.

12.2 It is necessary to recognise the additional workload of promoted staff responsible for carrying such reviews in the allocation of Management Time and/or 'balance of time'. Schools should consider how

Senior Management might assist Principal Teachers in larger schools or departments in carrying out this function and should also consider providing cover to assist in this process.

### **13. Trade Union/Professional Association Meetings**

An allocation of 3 hours is made for Trade Union meetings. The distribution of that time should be agreed to meet the needs of the school. Meetings should normally take place during In-service days or end-on to the pupil day.

### **14. Flexibility**

Some time should be left unallocated to meet unforeseen needs.

### **15. Work Outwith School Premises**

- 15.1 The agreement specifically allows for work that does not require the teacher to be on the school premises to be undertaken at a time and place of the teacher's choosing.

In determining when a teacher is required to be in school if they are not teaching consideration requires to be given to the needs of registration, class cover, health and safety and the individual's own responsibilities beyond class teaching such as departmental management responsibilities.

- 15.2 Each school should agree an appropriate protocol on arrangements for work outwith school premises and that should include a requirement that when a teacher is leaving the premises during the pupil day, they must inform the appropriate manager in advance and fulfil the school requirements for signing out.

### **16 Reaching Agreement at School Level**

- 16.1 Each school should establish a School Negotiating Committee. That Committee should be comprised of the Head Teacher (or nominee) and any other appropriate Senior Manager plus appropriate trade union representatives. Trade Union representation should reflect the relative strength of the membership in each establishment.

- 16.2 In smaller schools or schools where there is no accredited Trade Union representative it will be the responsibility of the Head Teacher to organise an appropriate School Negotiating Committee. In the smallest of schools this is assumed to be all teaching staff.

- 16.3 The School Negotiating Committee will annually, in the summer term, prepare a draft agreement on the 35 hour working week. This agreement must comply with the Code of Practice on Working Time Arrangements for Teachers – SNCT Part 2 Appendix 2.7 and the guidance issued by South Ayrshire Council JNCT. As part of that agreement they should devise an annual calendar and programme of activities relating to all aspects of the 35 hour working week.

- 16.4 The draft agreement and calendar will be subject to full consultation with the whole teaching staff. The agreement will not be implemented unless there is clear evidence that it has been approved by the majority of staff. The School Negotiating Committee should agree a mechanism by which staff have the opportunity to consider the draft agreement and comment on it prior to final agreement. Staff comments and suggestions for change should be considered by the Committee prior to the final agreement.

- 16.5 The final agreement and calendar should be signed by both the Head Teacher and Trade Union representatives and submitted to the relevant Head of Service on the attached proforma in order that the JNCT can monitor the implementation of the 35 hour working week arrangements.

- 16.6 The School Negotiating Committee should also be consulted where appropriate on all relevant changes to practice and policies which might impact on workload. The Committee should meet in the course of the session to monitor the effectiveness of the agreement and to consider specific issues that may be raised by staff.
- 16.7 The School Negotiating Committee should carry out an annual review of the agreement prior to negotiating a new agreement for the following session. A pro-forma, as recommended by the SNCT, is attached as Appendix 3 to assist that process.

### **Appeals Procedure**

- 17.1 The SNCT advises that Working Time Agreements must accord with LNCT frameworks and that the LNCT has the right to determine an arrangement for any schools where a failure to agree cannot be resolved at school or LNCT level.
- 17.2 Where there is a failure to reach agreement at school level that failure shall be reported, by either side, to the Joint Secretaries of the JNCT.
- 17.3 The Joint Secretaries shall arrange for an appropriate member of the Management Side and appropriate member of the Teachers' Side to convene an informal meeting with the Head Teacher and appropriate Trade Union representative in an attempt to resolve the issues in dispute.
- 17.3 Where an informal meeting fails to resolve the dispute the Joint Secretaries (or their nominees) will convene a formal appeals hearing
- 17.4 At that hearing the Head Teacher and the Trade Union representatives shall each present their arguments. Either side may call witnesses to support their case. The Trade Union representatives may question the Head Teacher and/or his /her witnesses and the Head Teacher may question the Trade Union representatives and/or their witnesses. The Joint Secretaries (or their nominees) shall have the right to question the Head Teacher and Trade Union representatives and any appropriate witnesses.
- 17.5 The Joint Secretaries (or their nominees) shall reach a conclusion about the dispute and their decision will be final and binding.

**SOUTH AYRSHIRE COUNCIL  
Educational Services**

**JOINT NEGOTIATING COMMITTEE FOR TEACHERS**

**The 35 hour week for teachers in Nursery, Primary, Secondary and Special Schools**

The 35 hour week for teachers is equivalent to 1365 hours per annum (195 days including in-service days).

Class contact (38x22.5 hours)	855 Hours
Personal Allowance (38x7.5 hours)	285 Hours
In-Service Days	30 Hours

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Assessment, Reporting and Recording	60 Hours
Planning	25 Hours
Staff Meetings (See Para 7.1)	40 Hours
PRD	3 Hours
Trade Union Meetings	3 Hours
Meetings with Parents	30 Hours
Balance of Time*	34 Hours

<b><u>Total</u></b>	<b><u>1365 Hours</u></b>
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**Balance of Time activities such as:**

- Additional Time for preparation and correction
- Preparation of Reports, Records
- Forward Planning
- Formal Assessment
- Curriculum Development
- Additional Supervised Pupil Activity
- CPD

**(School Name) Working Time Agreement****Individual Use of Balance of Time (Session 20xx – 20xx)****Introduction**

This pro-forma should be completed by each member of the teaching staff and discussed with the appropriate line manager, eg PT, DHT or HT.

Individual Teachers should use their professional judgement in relation to the prioritisation of tasks, taking into account their individual workload and the school improvement plan. The agreed final version should be signed by both parties and copies retained.

**Teacher's Name** \_\_\_\_\_

**Total Balance of Time to be accounted for:**

Basic Balance of Time from School Agreement	34 Hours
Additional Balance of Time from meetings**	Hours
<b>Total</b>	Hours

\*\* This refers to any time gained from non-participation in committees or working groups which are allocated through the School Working Time Agreement

**Balance of Time Activities**

<b>Activity</b>	<b>Brief details of activity</b>	<b>Hours</b>
Additional time for preparation and marking		
Meetings with parents		
Preparation of reports		
Development planning		
Curriculum development		
Additional forward planning		
Formal assessment		
PRD (PT, DHT or HT)		
CPD		
Additional supervised pupil activity		
Other (please specify)		
<b>Total</b>		

Signed \_\_\_\_\_ Position \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Position \_\_\_\_\_ Date \_\_\_\_\_

**(School Name) Working Time Agreement**

**Annual Evaluation**

Annual Evaluation – to be co-ordinated by the School Negotiating Committee.

Teachers are encouraged to evaluate their personal workload against the generic figures agreed in their school. This will enable teachers to use professional judgement in relation to how their time is being used. It will also yield information which will feed into the School Negotiating Group’s annual review of the Working Time Agreement.

**To what extent did this year’s agreement allocate a realistic amount of time in relation to your professional responsibilities?**

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**Identify any area where the time required under any given heading has been significantly different from what was planned.**

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**Do any of the headings in the current Working Time Agreement require an adjustment in agreed time for next session?**

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**Are any new priorities emerging that require an allocation of time?**

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