

## **Non-Class Contact Time**

### **Arrangements for return to school August 2020**

#### **LNCT Agreement to Facilitate Safer Working During the Coronavirus Pandemic**

In planning 100% return to school buildings, the advice and guidance from Scottish Government that informs our risk assessment is clear that it is desirable to minimise the number of contacts for all staff and pupils.

Existing arrangements for NCCT vary from school to school, however, often involve at least one session where large numbers of pupils are gathered e.g. for assembly. This would go against national guidance.

In order to reduce the number of contacts it **may** be appropriate to review existing arrangements for NCCT and explore a collegiate agreement where teachers receive their entitlement to NCCT for the week in one block, or where a school looks to aggregate the entitlement over a two week period in the form of one non-teaching day per fortnight, as per SNCT Part 2 Appendix 2.17 (pro rata arrangements will apply for part time teachers).

Where such an arrangement is under consideration by a school, the following must apply:

- the rationale must be explicitly linked to health and safety due to the pandemic;
- the change must be agreed collegiately – this would normally be via the School Negotiating Committee;
- there must be a chance for staff to review the operation of the agreement, and for it to be revoked should such be the collegiate view of the staff – at a minimum, such a review should happen either just before or after the October half term;
- any agreement must follow the guidelines set out by the SNCT (see below).

Further, in order to avoid teachers working in school in shared bases etc, primary RCC/NCCT is ideally done at start or end of each day. Teachers should only attend for their class contact and exercise "time and place" for NCCT. Secondary schools should endeavour to apply the same principles where possible, although it is recognised that they are working under different constraints when it comes to blocking non-contact time ("time and place" rights apply to all sectors). Special schools should consider what is most appropriate to their circumstances, depending on whether their timetabling follows a primary or secondary model.

All discussions and negotiations regarding NCCT must be undertaken in a collegiate manner.

1. Where a NCCT agreement has been collegiately agreed, the expectation is that in almost all cases staff will exercise "time and place" and work from home during NCCT days/half days. There is no additional time created and staff should not be allocated additional work for days working at home. Teachers will manage their work, other than scheduled remote staff meetings, at their own discretion in line with "time and place".
2. Schools will need to have a clear understanding about the implications for all elements of the working week and ensure that they are operating within the parameters of the SNCT. One possible model is laid out below.
3. Within a flexibility arrangement extending over two weeks, if staff lose out on their NCCT day for any reason, then it must be rescheduled. It would not be acceptable for a teacher to do a week of 25 hours and then lose out on NCCT due to holidays or in-service.
4. Teachers are not required and should not be asked to come into school on NCCT days due to cover issues.

The existing SNCT agreement states that schools wishing to implement an arrangement spanning over more than one week must submit their proposal to LNCT for agreement.

In the current unprecedented circumstances, any collegiately agreed arrangements that operate over a 2-week period must be submitted to the relevant QIM, who will review these, collate them, and take back to LNCT for final approval. This should include a note of what mechanism was used for reaching agreement.

The LNCT will review this agreement mid-session to determine if it is working effectively in schools and respond accordingly.

**It is important to note that the LNCT has agreed to allow schools this flexibility purely to enable a more targeted response to constraints imposed by the pandemic. Once such constraints are lifted, normal arrangements will apply.**

## **SNCT PART 2 APPENDIX 2.17**

### **CODE OF PRACTICE ON WORKING HOURS, WORKING WEEK**

There is evidence that current provisions have been set aside on an ad hoc basis in some schools. These include where the arrangement of providing Class Contact Time is organised in larger blocks of time, or where a teacher has provided cover in unforeseen circumstances.

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 outlined below is met, a school can develop an alternative approach to working hours. Schools are encouraged to engage with LNCT Joint Secretaries if advice is required on formulating an alternative approach. These will be submitted to LNCTs with the WTA for confirmation that they meet the national criteria.

**LNCTs should also confirm:**

- that agreements are set within a clear and transparent process which will be monitored by the school's negotiating group and the LNCT to ensure agreements have been reached collegiately;
- that there is a facility for monitoring the flexible approach within schools;
- that advice and guidance, in accordance with this Code of Practice, is provided by LNCT Joint Secretaries to establishments on situations which may arise including emergency cover;
- that the implementation of this Code of Practice is monitored by LNCTs and reported to the SNCT on any unresolved difficulties which arise.

Thereafter, LNCTs will note plans on the basis of informed consent unless there is evidence that the national criteria have not been met or where the proposal produces staffing consequences which cannot be delivered.

**National Criteria:**

- (i) a school may operate class contact time, preparation and correction time and remaining time over a longer period, normally 2 weeks, but not exceeding 4 weeks;
- (ii) maximum class contact time in any single week is restricted to 25 hours, subject to an average of 22.5 hours over the agreed period of variation;
- (iii) any reconfiguration of class contact time would be subject to discussion and agreement between the Headteacher and the relevant teaching staff;
- (iv) the school proposal signed by the Headteacher and a representative of the teaching staff should be submitted to the LNCT Joint Secretaries;
- (v) preparation, correction and collegiate activities are key elements of the work of teaching professionals and Headteachers must allow appropriate time for such core activities;
- (vi) the working week must average 35 hours over the agreed period of variation. Preparation and correction remains as a minimum, one third of the class contact time delivered each week. The remaining time is for collegiate activities, as per the schools Working Time Agreement. Where class contact time is varied from 22.5 hours per week the agreement must show how this will be averaged out over the period of variation, including staffing arrangements; time for preparation and correction will be guaranteed within that period;
- (vii) this flexible approach should be planned prior to the beginning of the academic year; this should be part of the school's annual working time discussions and not

normally used to deal with short term cover situations. Any flexible approach will be reviewed on a regular basis by the school Negotiating Group, any revisions which are deemed necessary will be subject to the same level of joint agreement outlined in (iii) and (iv) and reported to LNCT;

(viii) planning at school level should be characterised by collaborative, consultative and collegiate processes focused on the best outcomes for the school and its pupils.

Time and place arrangements will be retained.

Possible model of working week (all times are in hours):

<b>Chosen model</b>	<b>week</b>	<b>Class contact</b>	<b>Personal preparation &amp; correction</b>	<b>Collegiate</b>	<b>Working week</b>
No variation	1	22.50	7.50	5.00	35.00
2 week model	1	25.0	8.33	5.00	38.33
	2	20.00	6.67	5.00	31.67

## LOCAL AGREEMENT

This local agreement has been reached in the LNCT and is consequently binding on the signatory parties.

Signed Andy Gray

Signed Alison Murphy

LNCT Management Side

LNCT Teachers' Side

Joint Secretary

Joint Secretary

27<sup>th</sup> August 2020

27<sup>th</sup> August. 2020