

**SOUTH AYRSHIRE COUNCIL
JOINT NEGOTIATING COMMITTEE
FOR TEACHERS
(other non-devolved matters)**

**35 Hour Week Agreement
(JNCT 2.7)**



Version Control

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1. Introduction

The Education Directorate is committed to working with teachers' and Head Teachers' representatives, through the JNCT, to manage teacher workload.

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".

A local working group on tackling bureaucracy identified five key principles following a collegiate event with Head Teachers and trade union representatives. These principles shown below should be taken into account by schools when agreeing working time arrangements.

1. Professional Dialogue is key to improving learning. Paperwork should be kept to the minimum required to support this. Time should be set aside to facilitate this important process.
2. Planning, Assessment, Tracking and Reporting policies and procedures should be proportionate and sufficient to support effective teaching and learning
3. Monitoring impact of outcomes for children must be a focus rather than monitoring planning
4. Quality assurance should be robust, evaluative and supportive and should be carried out in a climate of trust, openness and professional respect
5. Communication should be clear, concise, relevant and in plain English

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 The individual and collective work of all teachers should be capable of being undertaken within the 35 hour week. To help achieve this these guidelines are designed to ensure that appropriate times are allocated 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'.
- 2.6 Prior to each new academic year, Head Teachers are required to email the information requested in Appendix 4 to educationcentral@south-ayrshire.gov.uk, by end-June each year. This data will then be collated and analysed before being taken to JNCT for monitoring purposes.

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 Since the 1 August 2014 the requirements of SNCT 14/43 Code of Practice on Working Hours, Working Week have been followed. 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. Correction and Preparation

- 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 at the stages of the Broad General Education and Senior Phase therefore 60 hours will be allocated annually to cover these areas.
- 5.2 It remains the duty of teachers to formally report on the work of their pupils. These guidelines assume two tracking reports with no comments and one full written report with a written comment of no more than 100 words to parents per pupil per session. However, each school has been empowered to develop its own reporting approach. Teachers will be required to complete reports in line with the school's reporting strategy which it has agreed with pupils, parents, staff and the local authority. The workload associated with any new strategy should not exceed the assumption/recommendation from the local authority.
- 5.3 Any additional reporting, including interim reports, should be agreed as part of the school 35 hours 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. The meetings can either be face to face or online.
- 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

Correction and Preparation 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 correction and preparation.
- 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 Early Years Centres, 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 of Guidance) as contained in Section 3 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 PTs 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.

Post	Job size	Management Time (Periods)
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	<u>2</u>
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 Section 3 of Devolved School Management Scheme.

Promoted posts are included within a school's basic entitlement in terms of FTE

Head Teacher Entitlement

Roll Band (includes learners in ASN bases and EY Settings)	HT Post (Excluding Shared Headships)
0 – 50	1
51 – 100	1
101 – 200	1
201 – 300	1
301 – 400	1
401 – 500	1
501 – 600	1
601 – 700	1

Depute Head Teacher Entitlement

Where a school has an ASN base (Heathfield Primary, Doonfoot Primary, Troon Primary and Girvan Primary), the roll of the base is not included in the formula to determine DHT entitlement.

Roll Band (incl learners in EY)	DHT Post
0 – 90	-
91 – 500	1
501 – 700	2

Principal Teacher Entitlement

Where a school has an ASN base (Heathfield Primary, Doonfoot Primary, Troon Primary and Girvan Primary), the roll of the base is not included in the formula to determine PT entitlement.

Where a school has a 52-week EYC, the EY Roll will not be included in the formula to determine PT entitlement.

Roll Band (incl learners in TT EY establishments)	PT Post (Excluding Shared Headships)
0 – 90	0.5
91 – 270	0
271 – 400	1
401 – 700	2

Promoted post structures will only be changed if the roll has remained within the new band for 2 academic sessions, * this includes SIMD PT posts. i.e. for a DHT Post, in 2025/26 actual school roll drops below 91 and therefore school is no longer entitled to a DHT, this is Year 1. 2026/27 actual school roll remains below 91, this is Year 2. Therefore, DHT would be declared surplus and invited to the surplus meeting in May 2028.

The following will be in addition to the basic complement of promoted posts shown above:

- Shared-headship will receive 0.5 fte PT (Promoted Element Only)
 - Schools with the highest levels of deprivation will receive an additional PT (Promoted Element Only). This will be based on the annual SIMD data and will be allocated to the 10 primary schools with the highest number of primary children living in deciles 1 and 2 (combined). Where a primary is no longer within the 10 schools identified the process detailed previously* will be followed for the SIMD PT posts.
 - Schools with a base will receive a DHT (Promoted Element Only).
- 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.

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, correction and preparation 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 providing activities which result in wider achievement recognised within the 35 hour working week. However, generally speaking, involvement in activities resulting in wider achievement is seen as a voluntary commitment.

10. Planning

- 10.1 Time allocated for planning will be 25 hours to cover a range of planning activities such as forward planning, development planning etc.

The JNCT will continue to monitor and review the various processes for planning to ensure that the workload is reasonable.

11. Formal Assessment

Where appropriate time should be allocated to take account of assessments of a summative nature. For example, Scottish National Assessments, SQA procedures and other formal assessments required in relation to SCQF qualifications.

12. Career-Long Professional Learning

- 12.1 3 hours will be allocated for each individual review and includes time for self-evaluation against the relevant GTCS Standard(s) and the 5 yearly Professional Update.
- 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.
- 12.3 The annual CPD allocation for each member of staff is 35 hours, which is over and above the working time referred to in this agreement. As a rule of thumb 28 hours should be set against targets relating to department and whole school priorities, with 7 hours for tasks relating to personal development.

Teachers will submit an outline plan for their proposed use of their CPD time for the school session ahead and also a review of their CPD time for the previous session. These should be discussed and approved through a brief interview with the teacher's line manager and submission of the appropriate CPD planning form and CPD evaluation of impact form.

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

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 proforma, as recommended by the SNCT, is attached as Appendix 3 to assist that process.

17. 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.

18.

Appendix 1**SOUTH AYRSHIRE COUNCIL****Educational Services****JOINT NEGOTIATING COMMITTEE FOR TEACHERS****The 35 hour week for teachers in, Primary, Secondary Special Schools and Early Years Centres**

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
Correction and Preparation (38x7.5 hours)	285 Hours
In-Service Days	30 Hours
Assessment, Reporting and Recording	60 Hours
Forward Planning	25 Hours
Staff Meetings (See Para 7.1)	40 Hours
PRD	3 Hours
Trade Union Meetings	3 Hours
Meetings with Parents	30 Hours
Mandatory Modules on COAST	4 Hours
Balance of Time*	30 Hours
<u>Total</u>	<u>1365 Hours</u>

Balance of Time activities such as:

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

For centrally employed staff such as ASFL Cluster, Learning and Inclusion, Visually Impaired and EAL staff, there is a requirement to ensure staff are protected from working additional hours due to the balance of time activities, twilight CLPL activities, whole school or departmental meetings. To ensure consistency in approach through the same expectations from all South Ayrshire schools and centrally employed staff, twilight meetings for the centrally employed staff will take place on the same dates as South Ayrshire's collegiate dates which the staff must attend. This therefore ensures that all centrally employed teachers can attend all their own team meetings with no negotiation required with their schools. Schools should therefore provide the opportunity for centrally employed staff, where appropriate, to be updated on what was covered during collegiate meetings. In addition, there will also be allowance for identified in-service days, specifically for the centrally employed teacher which they must also attend.

19.

Appendix 2

(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, e.g. 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	30 Hours
Additional Balance of Time from meetings**	Hours
Total	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

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

Signed _____ Position _____ Date _____

Signed _____ Position _____ Date _____

20.

Appendix 3**(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?

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

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

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

21.

Appendix 4**JNCT Monitoring and Analysis Form****(School Name) Working Time Agreement – Session ? to ?****This section should be completed annually by the Head Teacher and returned by x .**

1. Please provide a breakdown of how the 195 hours remaining after the hours set aside for class contact, personal allowance and in service days have been deducted (ie 1365-1170= 195)

Assessment Reporting Recording	Planning	Staff Meetings	PRD	Trade Union Meetings	Flexible meetings	Working Groups/ Other	Parents Meetings /associated preparation	Balance of Time (norm 34)	Total

2. Please outline below the main school activities throughout the year for which individual teachers would have to plan ahead as part of their 35 hour week e.g. parent's nights, parties, sports days, twilights etc.

	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Mon											
Tues											
Wed											
Thu											
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This calendar template is for guidance and schools are welcome to submit alternative versions provided they clearly outline the overall school commitments for the calendar year. Please email the completed form to EducationCentral@south-ayrshire.gov.uk, by end June each year.