



## THE MORAY COUNCIL LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

### Teachers' Side Joint Secretary

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16 April 2009

### **To All Head Teachers for distribution to all teaching staff**

Dear Colleague

### **Working Time Agreement – 2009-10**

We have pleasure in enclosing updated Guidance for Schools on Working Time Agreements which should inform your deliberations with regard to your school based Working Time Agreement for session 2009-10. Prior to reaching agreement for 2009-10, it is essential that schools review 2008-09 arrangements and take account of that review in reaching their new agreement. This review should consider the effectiveness of the Agreement and an agreed LNCT template for gathering feedback is attached for your use at Appendix 1. The collated responses from teachers should subsequently inform the discussions leading to your 2009-10 Agreement.

The current contractual arrangements are as noted below:

<b>Sector</b>	<b>Maximum Class Contact Time</b>	<b>Minimum Personal Allowance</b>
Primary	22.5	7.5
Secondary	22.5	7.5
Special	22.5	7.5

For Primary and Secondary staff therefore the balance of time available for agreed activities is 195 hours per annum.  $(35 - 22.5 - 7.5) \times 39 \text{ weeks} = 195$ .

Please note that Working Time Agreements should take account of the time required for management responsibilities for promoted staff.

A significant issue during sessions 2007-08 and 2008-09 has been the further development of collegiate working. All schools have now reflected on current practice and identified priority areas for this key development. It is important to note that collegiate approaches should underpin all school developments, particularly the discussions around the Working Time Agreement.

As in previous years we would exhort Head Teachers to actively support and encourage teachers to play a full part in school based discussions and negotiations in order to ensure that agreements reached continue to contribute to the successful implementation of A Teaching Profession for the 21<sup>st</sup> Century Agreement and assist all staff in reducing and managing their workload.

Your school agreement for 2009-10 (signed as indicated on Page 6 of the attachment) along with your 2008-09 return should be submitted to Alistair Farquhar no later than Friday 26 June 2009.

**Yours sincerely**

**Eileen Morrison**  
**Teachers' Side Joint Secretary**

**Alistair Farquhar**  
**Management Side Joint Secretary**

**MORAY COUNCIL EDUCATIONAL SERVICES  
LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**

**INDIVIDUAL TEACHER EVALUATION OF WORKING TIME AGREEMENT 2008-09**

**NAME:** \_\_\_\_\_

All teachers are encouraged to evaluate their personal workload against the generic figures agreed in the school Working Time Agreement for 2008-09. This feedback will provide information for the school's annual review of the WTA and will assist with discussions for next year.

**1. To what extent did this year's agreement allocate a realistic amount of time in relation to your professional responsibilities? [Please tick appropriate box]**

- Far from adequate or realistic – most weeks demanding considerably more than 35 hours in order to complete all necessary tasks.
- Realistic in some aspects but many areas still demanding more time than allocated.
- Mostly adequate but with a few areas demanding more time than allocated.
- Adequate and realistic allocation, ensuring most duties overtaken within the 35 hour working week.

**2. Please provide details of any area where the time required under any given heading has been significantly different from what was planned.**

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

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**4. Are any new priorities emerging for you which require an allocation of time?**

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**MORAY COUNCIL EDUCATIONAL SERVICES  
LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**

**2008-2009 WORKING TIME AGREEMENT – COLLATION OF FEEDBACK**

**NAME OF SCHOOL:** \_\_\_\_\_

**NUMBER OF TEACHING STAFF [including P/T and Visiting Teachers]:** \_\_\_\_\_

**NUMBER OF INDIVIDUAL RETURNS RECEIVED BY WTA COMMITTEE:** \_\_\_\_\_

**1. Collated responses – enter total numbers returned for each statement.**

- Far from adequate or realistic – most weeks demanding considerably more than 35 hours in order to complete all necessary tasks.
- Realistic in some aspects but many areas still demanding more time than allocated.
- Mostly adequate but with a few areas demanding more time than allocated.
- Adequate and realistic allocation, ensuring most duties overtaken within the 35 hour working week.

**2. List areas noted as requiring significantly more time with number of times mentioned eg Staff meetings x 6**

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**3. List areas noted as requiring adjustment in agreed time for next session.**

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**4. List new priorities noted which require additional time.**

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**THE MORAY COUNCIL EDUCATIONAL SERVICES**

**LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**

**“A TEACHING PROFESSION FOR THE 21<sup>ST</sup> CENTURY”**

**THE 35 HOUR WORKING WEEK**

**GUIDANCE FOR SCHOOLS ON  
WORKING TIME AGREEMENTS  
FOR SESSION 2009-10**

**April 2009**

## Introduction

This agreement applies to all teachers and is based on the Code of Practice on Working Time Agreements for Teachers (Annex D of the 2001 Agreement)

At the heart of the 2001 Agreement are two fundamental principles:

- (i) to enhance the professional status of teachers by introducing a more collegiate and participatory approach to school management.
- (ii) the recognition of the need to control the workload of teachers ensuring that the “individual and collective work of teachers should be capable of being undertaken within the 35 hour working week.”

This guidance seeks to take account of both of these principles and should provide a framework within which schools will operate.

It is vital that in advance of discussions and negotiations on next year’s WTA, an evaluation of the effectiveness and impact of the current WTA is undertaken. Evaluation templates are attached and should be utilised for this purpose.

## Guidance on Implementation of 35-Hour Week

- The working week for teachers is 35 hours.
- The maximum class contact time is 22.5 hours per week.
- The agreement includes an entitlement to a minimum personal time allowance of one-third of class contact time per week. This should be allocated in blocks of not less than 30 minutes. The use of this time is entirely at the discretion of the individual teacher.
- If a teacher is not required to be on the school premises for certain duties, say preparation/correction, these may be undertaken at a time and a place of the teacher's own choosing. Teachers will be expected to notify the appropriate line manager of their intentions in this respect.
- The agreement recognises that staff should be able to be out of school at those times when they are not required to be in school. However, schools must at all times be in a position to cover staff absence. Therefore, schools should develop an "On Call" cover system which can give staff advance warning of agreed "off-site" times which might be called upon for cover duties. Furthermore, schools should make every attempt to be fair and equitable in their allocation of cover duties and these arrangements should be open to scrutiny.
- The use of the balance of time between the combined class contact time and personal allowance time and the agreed working week of 35 hours is subject to annual agreement within each establishment and should be planned, where appropriate, to include activities listed in Annex D.
- It is recognised that workload continues to be a significant issue for many teachers and a genuine attempt must be made to seek to reduce this. There is also an expectation that schools review the operation of the Working Time Agreements at intervals throughout the year. It is the responsibility of all members of staff to engage fully in this process either through whole staff meetings or via their Working Time Agreement Committee arrangements.

The following clarification of each of the bullet points in Annex D is intended to be helpful but should not be regarded as an exhaustive list.

## **Additional Time for Preparation and Correction**

Consideration should be given for additional preparation and correction time particularly with regard to an individual teacher's workload which may include the number of year groups taught or subject load.

## **Parents' Meetings**

Parents' meetings can take place in the evening and/or end on to the school day, subject to appropriate discussion and agreement at school level. Specific time for preparation for these meetings should be agreed. This would be in addition to time already spent by the teacher in ongoing preparation and correction. Arrangements for a social break should be agreed at school level, where required. Staff will be permitted to leave once parental interviews are completed and are not required to attend parents' nights for groups of pupils they do not teach.

## **Staff Meetings**

Staff meetings can include any meeting of a group of staff, eg whole school, departmental, stage, management, cross-curricular, working groups. The majority of these meetings are likely to take place outwith the pupil day thus enabling a better opportunity to focus on and develop aspects of Learning and Teaching in a more productive environment.

## **Formal Assessment**

Diagnostic and formative assessment is considered part of the normal preparation and correction processes. However, time may be allocated where assessment is summative and part of a formal process, eg unit tests, national testing or prelim examinations.

## **Reporting and Record Keeping**

Schools should agree sufficient time for the completion of the reporting process taking account of any developments ongoing within the school.

## **Forward Planning**

With significant developments in Forward Planning and Programmes of Study in recent years, there should now be a more effective and efficient process in place in all Moray schools. The amount of time allocated to this area should therefore reflect individual school circumstances.

## **Professional Review and Development (PR&D)**

This will require to be undertaken during the balance of time in the 35-hour week. An allocation of one hour should be made for the annual PR&D interview with a similar amount of time allocated for preparation.

Consideration will require to be given to additional time being allocated to line managers to undertake the process in relation to the number of reviewees for whom they have responsibility.

## **Continuous Professional Development (CPD)**

All staff are expected to complete the additional contractual 35 hours per annum CPD. The CPD plan for each teacher should be agreed and developed as part of the PR&D process.

## **Curriculum Development**

This could include involvement in curriculum development, in-school working groups or policy development.

## **Additional Supervised Pupil Activity**

This may involve the following – supported study, after school clubs, sports/creative/aesthetic activities, school show rehearsals etc etc. The plan for additional supervised pupil activity should recognise the overall aim of raising achievement and be designed to enable as wide a range as possible of out of hours learning activities.

Where teachers receive additional payment for undertaking additional supervised pupil activity, the time involved cannot be reckoned as part of the 35-hour week.

## **Flexibility**

It is considered essential to retain an element of time for flexibility. This time to be utilised as and when appropriate. In particular, time will be needed to consider and respond to various consultation papers throughout the year and schools should bear this in mind when reaching their collegiate time agreements.

## Conclusion

The spirit of this national agreement emphasises a collegiate approach to planning the work of the school. There are many examples of good practice in Moray with regard to the development of collegiate working but it is important that we continue to seek to embed this in our daily practice. In particular each establishment will require:

- To continue to develop an effective and appropriate negotiation and consultative procedure to enable full participation by staff in agreeing the key decisions identified above.
- To maintain an annual calendar and programme of activities relating to all aspects of the 35-hour week and define procedures which allow individual members of staff to audit their time against the agreement on collegiate time and to prioritise and effectively manage their workload.
- To ensure that these decisions are ratified annually at school level.
- To submit the school's Working Time Agreement and previous year's review to Alistair Farquhar, Head of Educational Resource Services, in order that the implementation of the 35-hour working week can be monitored by the Local Negotiating Committee for Teachers.
- To ensure that the final agreement is signed by the Head Teacher and teacher representative(s) prior to submission.

In the case of a failure to reach agreement on any aspect of the Working Time Agreement, reference should be made either to Eileen Morrison, Secretary Teachers' Side, LNCT, and/or Alistair Farquhar, Head of Educational Resource Services, Management Side Secretary LNCT.

A copy of Annex D of the national agreement is attached.

Thank you in anticipation of your efforts and co-operation in these matters.

**CODE OF PRACTICE ON WORKING TIME ARRANGEMENTS FOR TEACHERS**

The working hours and duties of teachers are negotiated nationally and form part of the agreed conditions of service for teachers. This code of practice has been drawn up to describe in more detail the rights and responsibilities involved in translating national conditions of service into practice.

The code of practice will operate within the context of national and local negotiating arrangements.

For the duration of the transitional period, individual contracts will contain an additional condition that working time arrangements will operate in accordance with the national code of practice.

The code of practice will be kept under review during the transitional period.

It shall inform discussions on working conditions at local level and will require to be supported by effective consultative arrangements at establishment level that ensure full participation by all staff in key decisions affecting their establishment. Discussions will be led by the Head Teacher as overall manager and the person ultimately accountable for the activities of the school.

With these mechanisms in place, it should be possible to resolve disputes, which may be individual or collective, without recourse to grievance procedures. This would not affect a teacher's existing right to resort to formal grievance procedures.

It is also intended that the Code of Practice will assist teachers to manage their workload more effectively. Effective planning procedures should assist with the management of workload.

In terms of assisting with local planning and with the control of teacher workload, national priorities will be set. These will be few in number and will normally be constant over a reasonable period of time. Teachers have a right and an obligation to contribute to the process by which national and local priorities are determined. Programmes of change will require the full participation of staff at establishment level in decisions about the pace of change.

Each educational establishment will prepare a school plan in accordance with the Standards in Scotland's Schools etc Act 2000. The plan will reflect establishment, local and national priorities. Plans will take account of staffing and other resources required. All teachers will have the right to be fully involved in the development of the plan and to be consulted on their contribution to the plan, and the responsibility for realising the school's development priorities. If a plan requires to be reviewed to take account of individual or collective circumstances, staff will be involved in any review as appropriate.

Teachers have a responsibility to work co-operatively with colleagues and others to pursue the overall objectives of the service. Each educational establishment will prepare an annual programme of activities, which require the involvement of teachers. In each school, teachers will agree the range of collective activities contributing to the wider life of the school on a collegiate basis. The use of the remaining time (that is, time beyond the combined class contact and preparation/correction allowance) will be subject to agreement at school level and will be planned to include a range of activities, such as:

- additional time for preparation and correction
- parents meetings
- staff meetings
- preparation of reports, records etc
- forward planning
- formal assessment
- professional review and development
- curriculum development
- additional supervised pupil activity, and
- continuous professional development

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

To assist the process of reaching agreement on collective time, each education establishment will put in place effective mechanisms. Such mechanisms will be determined at local authority level and shall reflect local circumstances. The negotiating machinery at local authority level and at national level will monitor the effectiveness of school mechanisms in ensuring agreement on, and prioritisation of, teachers' working time.

Individual teachers will use their professional judgement in relation to the prioritisation of tasks. In exercising their professional judgement, teachers will require to take account of objectives determined at school, local authority and national levels.

For most teachers, preparation and correction will be the most time consuming activities outwith class contact time. This requires to be reflected in the way that a teacher's working times is deployed. In terms of the remaining time, teachers will be available for meetings and other collective activities during the course of the 35 hour working week. If a teacher is not required to be on the school premises for certain duties, for example preparation and correction, these may be undertaken at a time and place of the teacher's own choosing. Teachers will be expected to notify the appropriate line manager of their intentions in this respect.

Teachers have a right and a responsibility to contribute to the development of a quality service. They have a professional commitment to develop their skills and expertise in classroom practice and other related matters through an agreed programme of continuing professional development. An additional contractual 35 hours of CPD per annum will be introduced as a maximum for all teachers, which shall consist of an appropriate balance of personal professional development, small scale school based activity, attendance at nationally accredited courses or other CPD activities. As part of this professional commitment teachers will have a CPD plan that is agreed annually with their line manager based on assessment of individual need. Teachers are also required to maintain an individual CPD record for professional purposes.