

## Further Guidance on Signing Out

### Section 1: Introduction

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#### 1.1 Purpose

This paper offers further guidance to establishments in North Lanarkshire regarding the facility for teachers to sign out as described in *A Teaching Profession for the 21<sup>st</sup> Century*. In the short term it should be used by establishments who have not yet managed to secure agreement in this area.

Most establishments have already reached formal agreement in this area and they should not review their procedure until the next major review of the establishment agreement is due in 2004. Section 1 of this paper provides an introduction and background information relating to signing out and section 2 offers further guidance on the issue.

#### 1.2 The Present Position

In May 2002, the JNCT reached agreement on working time arrangements for teachers for sessions 2002-03 and 2003-04. Section (3) of the agreement is as follows:

##### (3) "SIGNING OUT" ARRANGEMENTS

- a) The references in *A Teaching Profession For The 21<sup>st</sup> Century* to signing out are as follows:
  - Section 2 Conditions of Service, Paragraph 2.2 Working Hours: Working Week: *"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 line manager of their intention in this respect;"*
  - Annexe D: Code of Practice on Working Time Arrangements for Teachers: *"If a teacher is not required to be on the 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."*
- b) In view of the wording above, teachers in North Lanarkshire wishing to exercise their right to sign out should be able to do so provided:
  - There are no other duties listed in Annexe B of *A Teaching Profession For The 21<sup>st</sup> Century* which may have to be attended to on-site during the period of "signing out" time;
  - There are no emergencies arising prior to the member of staff signing out which involve them.
- c) Establishments should have clear arrangements within these parameters for staff to sign out.

Having been previously agreed by the JNCT, the extract above provides the basis for the further guidance given in this paper. The further guidance expands upon section (3) of the agreement but does not change it or supersede it. Despite the advice above, some schools were unable to reach agreement locally on signing out and further clarification from the JNCT was sought, hence the further guidance given in this paper.

#### 1.3 Clarification

Both of the Joint Secretaries to the North Lanarkshire JNCT contacted the respective Joint Secretaries to the SNCT (Scottish Negotiating Committee for Teachers). Two main questions were posed: (1) Is signing out a national or devolved matter? (2) Is the facility to sign out conditional or unconditional? The advice we have received establishes that, first, signing out is both a national and a devolved matter. The facility to sign out has been established nationally and applies to all teachers in Scotland, but the specifics of the matter may be determined by the JNCT within each local authority. Second, the right to sign out is conditional rather than unconditional. The conditions under which signing out may occur are described in part in the national agreement *A Teaching Profession for the 21<sup>st</sup> Century* and in part they are to be determined locally.

## **1.4 Existing Arrangements for Seeking Time Off**

It is recognised that in every establishment there already exist arrangements for staff to ask for special leave or time off for personal purposes such as appointments which cannot be made outwith school hours, family circumstances and personal emergencies. Such time off is at the discretion of the Head Teacher and the arrangements operate with the goodwill, mutual respect and common sense of those involved. The arrangements seem to work smoothly and the JNCT is not aware of serious problems with them. Establishments should seek to build on successful practice in this area when devising arrangements for signing out.

## **Section 2: Further Guidance**

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Based on section (3) of the JNCT agreement and the clarification from the Joint Secretaries to the SNCT, establishments should take account of the following when determining arrangements on signing out:

2.1 Given that signing out is both a national and a devolved matter, it is appropriate for the JNCT to issue further guidance and for establishments to develop detailed arrangements based on it.

2.2 The facility for teachers to sign out has been established nationally and the use of the facility will normally be assumed to be available unless certain exceptional circumstances apply. These exceptional circumstances may be determined locally at authority and establishment levels by agreement.

2.3 Teachers will be presumed to be able to use the facility to sign out but the following circumstances may lead to teachers being unable to use the facility:

- (a) where there is an emergency situation which requires the involvement of the teacher seeking to sign out;
- (b) where there is already a significant number of teachers out of school and there would be insufficient capacity in the school to cope with unforeseen circumstances;
- (c) where there are other duties which may require to be done on-site during the period of signing out time. This means that the duties in question could not be done at another time and could not be done off-site.

Given the nature of these exceptional circumstances it will not normally be possible for teachers to arrange to sign out in advance of the day concerned.

2.4 Where a teacher is unable to use the facility to sign out, a senior management decision to this effect must be justified only in terms of the exceptional circumstances outlined above, with further detail being supplied by the person making the decision. The role of the line manager or managers in respect of signing out procedures is to confirm the notification to sign out or to decide that exceptional circumstances apply as outlined in 2.3 above which mean that the facility is not available. Where more than one line manager is involved they should agree on confirming the notification or withdrawing the facility. Where they disagree the decision of the more senior manager will prevail. A teacher who disagrees with the decision should try to resolve the situation by discussion in the school, involving the school representative of a professional association if desired. Thereafter the teacher has the right to invoke the grievance procedure if necessary. Concerns over the general operation of establishment arrangements (as opposed to individual cases) may be referred for consideration by the relevant Joint Secretaries to the JNCT.

2.5 The flexibility afforded by the facility to sign out will enhance the professionalism of teachers, and the high level of commitment shown by staff in North Lanarkshire should ensure that signing out is appropriately used. Establishment arrangements for signing out should reflect the flexibility, reasonableness, common sense and goodwill which currently exist when staff apply for time off for personal purposes.

A clear procedure should be agreed for allowing teachers to use the facility to sign out to which staff must adhere. This should include guidance on:

- (a) by what point in the day teachers should notify the appropriate managers of their intention to use the facility of signing out;
- (b) which managers should be checked with in order to ascertain that none of the exceptional circumstances apply;
- (c) how the relevant managers can be contacted, whether in person, by note, by phone or by e mail;
- (d) how and when teachers may receive a response to a notification that they intend to use the facility to sign out, either to confirm it or to inform them that exceptional circumstances apply;
- (e) how arrangements for recording signing out and signing back in are to operate.

2.6 The signing out of a teacher should not result in an increase in workload for any of her or his colleagues. In particular, promoted members of staff retain responsibility under the list of duties set out in Annex B of the national agreement and therefore should not delegate duties to other colleagues, promoted or unpromoted, on a regular basis.

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