

LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

Local Agreement on the implementation of the 35-hour working week in schools and educational establishments

1. Introduction

1.1 Status

The National Agreement states:

1. The individual and collective work of teachers should be capable of being undertaken within the 35-hour working week;
2. Managers require time for additional duties out-with teaching and associated preparation in order to fulfil their broad professional duties.

The 35-hour week applies to all grades of teaching staff, including those in promoted posts. This is a guiding principle behind the National Agreement and consequently applies to agreements made at school/establishment level.

The Local Negotiating Committee for Teachers (LNCT), comprising representatives of North Ayrshire council and the recognised Teachers' Trade Unions, has agreed the following arrangements in relation to the implementation of the 35-hour working week.

1.2 Background and Context

North Ayrshire Council and the teachers' Trade Unions are committed to enhancing the professional status of the job of teaching, providing professional autonomy for individual teachers and a collegiate and participative style of management in schools and educational establishments (from now on referred to as "schools")

Following the revision of The National Agreement, A Teaching Profession for the 21st Century, a further [Statement on Teacher Professionalism](#) was issued through the Scottish Negotiating Committee for Teachers (SNCT).

In December 2015, the SNCT published Circular JS/15/62, which reminded LNCTs of the ongoing commitment to manage teacher workload effectively. In response to this, North Ayrshire LNCT published a joint statement in in 2016.

Underpinning this joint statement are the principles that:

- a) a reasonable level of workload is secured and maintained for all staff;
- b) as high a proportion of teacher time as is possible is directed towards the core tasks of learning and teaching;
- c) essential development work is taken forward at a manageable pace, supported by the provision of appropriate resources, including identified staffing and time.

[A Statement for Practitioners](#) was issued in 2016 from HM Chief Inspector of Schools. This contains advice and guidance helpful to use when working collaboratively to create and agree the annual Working Time Agreement.

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Following discussions at LNCT in March 2023, it was acknowledged that workload continues to be a concern for teachers. The LNCT established a subgroup to provide updated guidance for schools to help them evaluate realistically the impact of workload when negotiating their Working Time Agreements (WTA) each year and setting their school calendar. The WTA and school calendar, once agreed, form teachers' contractual obligations for the academic year.

Evaluating the effectiveness of the WTA and school calendar is essential for managing workload. Both the teachers' side and the management side should collect ongoing feedback on the WTA and school calendar (please see section 3.1 for further information). An evaluation template can be found in appendix 3 of this document which either side can use or adapt in preparation for the negotiation of the next year's WTA and school calendar.

To support the collaborative creation of an effective WTA, all schools should set up a School Negotiating Committee (SNC). Guidance on operating an SNC is set out below at Section 3. The SNC must refer to the SNCT advice, LNCT advice and Working Group Reports on Tackling Bureaucracy provided within this document.

2. THE 35 HOUR WORKING WEEK

2.1 The division of the 35-hour working week

The 35 hours are divided into three parts:

- a) Class Contact Time – maximum of 22.5 hours per week (18 hours for teachers on the National Teachers Induction Scheme). This covers any contact with learners.
- b) A Personal Allowance of not less than one third of teaching contact time. The SNCT Handbook specifies that teachers on the above maximum shall receive a minimum Personal Allowance of 7.5 hours. This time is self-directed by the teacher for preparation and correction within the working day at a time and place of their own choosing. An exemplar WTA configuration grid is attached in appendix 1.
- c) Remaining Time (the 5 hours beyond the combined class contact and personal allowance) – the use of this time will be subject to agreement at school level and will be planned to include a range of activities.

NB The appropriate amount of management time will be agreed at individual school or establishment level for each manager. Please refer to section 2.6 **“Management time”**.

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2.2 Personal Allowance and Remaining Time

The SNCT Handbook, Appendix 2.7 Code of Practice states:

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.

The following, however, should be considered:

- Appropriate signing in and out procedures should be established in all schools to ensure compliance with existing Health and Safety legislation.
- Each establishment may, where feasible, develop a system whereby staff will be aware in advance of periods of time when their non-contact time will routinely be protected. This will allow teachers maximum discretion in use of personal time and to provide an element of stability in the provision of absence cover.
- Non-class contact time within the pupil week is the Personal Allowance for preparation and correction but may be used for Remaining Time duties as per the school WTA, at the teacher's discretion.
- Non-class contact time should be allocated in meaningful blocks, to allow for effective use. Whilst the exact time will vary from school to school, 45-minute blocks would be considered a minimum allocation.
- In weeks where there is a holiday or in-service day, the normal timetable will be observed for the rest of that week. Please read the SNCT Joint Secretaries' Letter (JS/13/45) in the following link: [Weeks foreshortened by Public Holidays](#)

2.3 Remaining Time Activities Programme

For Full Time staff, the total Remaining Time will amount to - 190 hours per annum (38x5 hours), at a rate of 5 hours per week.

Activities agreed collegiately for the use of the Remaining Time should be planned in such a way that both the weekly (35 hours) and annual (190 hours) totals are not exceeded. An explanation of remaining time activities can be found at section 4.

There should be no aggregation of hours from one week to the next/previous week(s). While a teacher's workload should conform with and be achievable within the 35-hour working week, it is recognised that individual teachers *may* elect to deliver their workload in ways which may exceed 35 hours a week. This would be a decision for each teacher on an individual basis.

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2.4 School calendar

As part of the process for creating the Working Time Arrangement, the School Negotiating Committee (SNC) must produce an annual agreed calendar. This must reflect the agreed time allocations under the headings outlined in section 4 and be submitted alongside the WTA to the LNCT and should be shared with all staff. Any changes to the calendar must be agreed by the SNC.

Sample templates for the annual calendar are available at appendix 2a and appendix 2b.

2.5 Part Time Staff

Part 2, section 3, para 3.6 of the SNCT Handbook indicates that part time staff shall undertake a pro-rata amount of WTA activities which shall occur on days when the part time teacher is employed. The only exception to this rule is parents' meetings when the part time teacher will comply, on a pro rata basis, with the arrangements agreed for the establishment.

The pro rata time for teachers on part-time contracts is:

FTE	CLASS CONTACT TIME	COLLEGIATE TIME	PERSONAL ALLOWANCE	TOTAL
	Hr mins	Hr mins	Hr mins	Hr mins
1	22 hrs 30 mins	5 hrs	7 hrs 30 mins	35 hrs
0.9	20 hrs 15 mins	4 hrs 30 mins	6 hrs 45 mins	31 hrs 30 mins
0.8	18 hrs	4 hrs	6 hrs	28 hrs
0.7	15 hrs 45 mins	3 hrs 30 mins	5 hrs 15 mins	24.3
0.6	13 hrs 30 mins	3 hrs	4 hrs 30 mins	21 hrs
0.5	11 hrs 15 mins	2 hrs 30 mins	3 hrs 45 mins	17 hrs 30 mins
0.4	9 hrs	2 hrs	3 hrs	14 hrs
0.3	6 hrs 45 mins	1 hr 30 mins	2 hrs 15 mins	10 hrs 30 mins
0.2	4 hrs 30 mins	1 hr	1 hr 30 mins	7 hrs
0.1	2 hrs 15 mins	30 mins	45 mins	3 hrs 30 mins

Please note: for working year calculations please refer to the "Annual Hours Calculator – part-time staff" which Head Teachers should provide.

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2.6 Management time

Current arrangements for the provision of management time should be maintained and appropriate allocations provided.

Principal Teachers

As taken from the SNCT handbook 2.10.2, Principal Teachers must be given a reduction in weekly class contact to enable them to carry out those duties which are in addition to their duties as classroom teacher. Its extent may vary according to the nature and scope of those duties. The additional duties of principal teachers must be capable of being undertaken within the 35-hour working week and, where a principal teacher retains a classroom teacher role, within the arrangements agreed at establishment level through the working time agreement.

Head Teachers and Depute Head Teachers

As taken from the SNCT handbook 2.13, where a class teaching commitment is included in the remit of a headteacher or depute headteacher, its extent will be determined by the council on the basis of an assessment of the management content of the post. The ability of a Head Teacher or Depute Head Teacher to discharge their duties will be affected when there is a class teaching commitment in their remit. For this reason, appropriate management time should be allocated to allow the duties, outlined in SNCT paragraphs 2.11 and 2.12, to be undertaken. The duties and responsibilities of a headteacher or depute headteacher, with a class teaching commitment, must be capable of being undertaken within the 35 hour working week.

3. REMAINING TIME: SCHOOL-BASED NEGOTIATIONS

3.1 School Negotiating Committee

Decisions made at school level must be collegiate in nature, involve all teaching staff and result from a structured and transparent negotiating process in line with the National Agreement. Each school shall form a School Negotiating Committee (SNC). The SNC will have a management side and a teaching staff side.

The teaching staff of each school shall determine how its own side is to be constituted.

The membership of the Committee will normally comprise the Head Teacher on the management side and the trade union representative(s) for the teachers' side as a minimum. The SNC need not be a large group. (In most schools, it may comprise 2-6 representatives in total).

Where there is no trade union representative in the school, the teachers' side should elect members of the SNC. As a guide, the following membership numbers are suggested based on the total teaching staff complement of the school: under 60 teachers = 2; 60-

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99 = 3; over 100 = 4. A consultation timeframe is within appendix 4 along with appendix 5 which notes tips for a successful WTA and school calendar consultation.

The remit of the SNC is to:

- a) share each side's evaluation of the previous year's WTA and calendar in line with SNCT/LNCT advice.
- b) negotiate school agreements on the use of remaining time, within the constraints of Section 2.3 above, for approval by all teaching staff.
- c) produce a calendar, which shows the activities covered by the allocation of remaining time hours concordant with Section 2.3.
- d) reconvene during the academic session if required to revise the school WTA and calendar through negotiation, to reflect changing circumstances, e.g. HMIE visit.

Please note that any changes to the agreed WTA and calendar must be negotiated within the SNC. Large new initiatives or significant changes to existing practices, such as new reporting systems, should not be introduced partway during the school year, unless they have been previously planned and time for training and implementation set aside in the WTA.

3.2 The Operation of the SNC

SNC meetings should take place within the 35-hour working week. Time should also be made available from within the 35-hour working week for staff to consider issues relating to the WTA individually and in department/stages.

3.3 Failure to Agree

The agreement would normally be endorsed by the majority of staff. In the event of agreement not being reached, this will be considered to be an Informal Dispute. The matter would be referred to the LNCT for resolution. In this case, the previous year's WTA should remain in place until matters are resolved.

Notwithstanding the above, all teachers will retain their contractual right to access the Council's formal procedures to resolve individual or collective grievances or disputes.

3.4 Monitoring

To ensure consistency across educational establishments and to secure a reasonable and achievable workload for all staff, each school must submit its WTA and calendar to the LNCT by the first week of June at the latest.

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4. Explanation of paragraph 2.3

Parents' meetings

Parents' meetings (formal reporting to parents on their child's progress) may take place end-on to the school day or in the evening, subject to appropriate consultation and agreement. There shall be no fewer than two, and no more than five such formal meetings in the course of the session. Each meeting shall have an allocation of up to five hours: time for preparation, where relevant travel time, and the parents' meeting itself. The time allocated to meeting with parents should not exceed the preparation time for the meeting. There should be a maximum of one parents' meeting per week i.e. a maximum of 2 hours meeting with parents per any week. Current arrangements whereby staff do not require to attend for groups or stages of pupils they do not teach or are allowed to leave when appointments have been completed, will continue.

Example 1 – parents' meeting at the end of the school day:

The total time allocation for the parents' meeting is 4 hours. This is then organised on the calendar as 2 hours for preparation and 2 hours for the parents' meeting itself.

Example 2 – parents' meeting in the evening:

The total time allocation for the parents' meeting is 5 hours. This is then organised on the calendar as 2 hours for preparation, 2 hours for the parents' meeting itself and 1 hour for teacher travel time.

Meetings

This can include any meeting of a group of staff, such as whole school, Extended Leadership Teams, departmental, stage, cross-curricular or management. These meetings should normally take place at the end of the school day. When allocating time for staff meetings that may be out with the school building, appropriate time should be given for travel. Departmental and management team meetings may take place during the school day if this does not impact on learning and teaching.

Preparation of written reports

A minimum allocation of 30 hours will be made for the preparation of written reports (formal written report to parents on their child's progress).

As per the other remaining time activities, the hours should be appropriately divided and set out in the school calendar for the purposes of workload management. It should be recognised, however, where staff have additional report loads, additional time will be required.

Additionally, the format used for reporting should not be changed during the course of a school session, unless agreed through the School Negotiating Committee.

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Trades union / professional association meetings

Time for Trades Union or Professional Association meetings, amounting to three hours per session, should be made available during the 35-hour working week or during in-service days.

Professional Review and Development - A minimum of 4 hours per session should be allocated for the processes of Professional Review and Development. Management time will be required by line managers who have responsibility for reviewees. [HR Policy and Procedure: professional Review & Development \(PRD\) and Professional Update \(PU\)](#) for Teachers is available on Connects and NACED Inform.

Other collegiate activities

Additional time for preparation and correction

Having due regard to individual teacher workload, additional preparation and correction time may be required for staff who have a number of year groups and/or activities/tasks/responsibilities associated with specific matters such as qualifications or supporting ASN learners.

Additional reporting and recording

Teachers may be involved in compiling other forms of reporting and recording, such as ASN documentation, reports for other agencies and recording data, including Tracking and Monitoring. Time should be allocated in the WTA and included in the balance of time section and clearly identified. This could include uploading information onto online platforms etc.

(Please refer to '[NAC Reporting to Parents and Carers' Strategy](#)' for examples of other forms of reporting).

Forward planning

An allocation of time is required for individual teachers to plan classwork by term or session.

- In addition, staff responsible for the preparation of school or departmental plans should be allowed appropriate time for their completion.
- Forward planning should be proportionate and should support professional dialogue.
- Excessively detailed forward plans are not required as they then become key drivers of workload.
- As part of the initiative to reduce workload, forward planning should not simply fulfil an audit function or generate unnecessary workload.
- Daily & weekly plans are for the class teacher and should not be required by SMT.

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Formal Assessment

Time should be allocated for formal assessment procedures and the associated administration required. Time appropriate to workload should be made available to those staff involved in the preparation and correction of formal or summative assessments.

Curriculum development

Curriculum development might include individual work (for example, creating new resources), attendance at school, local or national working groups, or policy development.

Additional supervised pupil activity

Additional supervised pupil activity includes a wide range of curricular and extra-curricular activities, such as supported study classes; hobby or sports clubs; sporting or creative and aesthetic trips and visits. Time spent by staff volunteering to undertake such worthwhile activities should be recognised within the context of the 35-hour week.

Career Long Professional Learning (CLPL)

CLPL time should be allocated for any new initiatives or approaches being introduced in a school.

Time for CLPL should not be confused with any personal CLPL agreed with individual teachers under the agreed PRD process.

Flexibility

In addition, a residual element of flexibility time should be agreed in order to allow unexpected demands on a teacher's time, e.g. responding to HMI visits.

If flexible time is not used, the time should be assumed as part of additional preparation and correction time.

Quality assurance

Activities which contribute to quality assurance will require time within the WTA. The activities may include, for example, professional dialogue following a classroom visit to support learning and teaching, quality improvement activities or moderation.

Other

Other activities not mentioned above which are of benefit to the school and its pupils may well be deserving of recognition within the context of the 35-hour week e.g. support for student placements.

APPENDIX 1

WORKING TIME AGREEMENT

CONFIGURATION OF 35 HOUR WEEK: SESSION Click or tap here to enter text.

SCHOOL: Click or tap here to enter text.

The 35-hour working week is comprised of three elements:

- 22.5 hours maximum class contact.
- 7.5 hours minimum personal allowance.
- 5.0 hours remaining time.

Agreed activities up to an annual maximum of 190 hours should be detailed below.

Activity	Time Allocation
Parents' Meetings	
Meetings	Dept:
	Staff:
Preparation of written reports	
Trade Union Meetings	
Professional review and development	

Other collegiate activities	Time allocation
Additional time for preparation and correction	
Additional reporting to parents and other agencies	
Forward planning	
Formal assessment	
Curriculum development	
Additional supervised pupil activity	
Career Long Professional Learning	
Flexibility	
Quality assurance	
Other	
Plus In-Service Days	5 days

Head Teacher: Click or tap here to enter text.

Date: Click or tap to enter a date.

School Trade Union Representative(s):
to enter a date.

Click or tap here to enter text. Date: Click or tap

APPENDIX 3

Evaluation of WTA and school calendar (exemplar)

1. WTA

Please provide feedback on the time allocated in the WTA to remaining time activities.

- (i) To what extent did this year's agreement allocate a realistic amount of time in relation to each aspect of your remaining time activities?
- (ii) Do any of the headings in the current Working Time Agreement require in your opinion an adjustment in agreed time for next session?
- (iii) Identify any area where the time required under any given heading has been significantly different from what was planned. Please give any specific reasons for this.
- (iv) Are there any priorities emerging that require an allocation of time?

2. School calendar

Please provide feedback on the allocation of time across the school calendar.

- (i) To what extent were the remaining time activities spread evenly across the school year?
- (ii) Identify any period of time in the school calendar where you felt there was an uneven spread of activities. Please give any specific reasons for this.
- (iii) Please provide any suggestions for the spread of activities for the next school year?

APPENDIX 4 CONSULTATION TIMEFRAME

This timeline is a guide. Schools should feel free to adapt it to their needs.

Using the principles of collegiality, it is important to have sufficient time for consultations between all represented parties and to allow for reflecting between meetings. The following is a suggested consultation and activities timeframe leading to the creation of a WTA:

Prior to Easter break

If not already in place, the School Negotiating Committee (SNC) should be set up (see section 3).

The SNC will:

1. Review the working time arrangements and school calendar for the current session
2. Identify any strengths or weaknesses in the current arrangements. The process should be one in which good practice and strengths should be built upon for the following year's WTA and school calendar.
3. The SNC will discuss and draft the WTA and school calendar for the next academic year.

By the end of May

The draft WTA and school calendar will be subject to full consultation with the whole teaching staff:

Both sides of the SNC will arrange to consider the draft agreement with their members.

A final SNC meeting should take place. Staff comments and suggestions for change should then be considered by the group, prior to the final agreement.

The Working Time Agreement and school calendar for the following session will be signed off by the Head Teacher and the Trade Union or teaching staff representatives.

Non-Agreement

By first week in June

The Head Teacher should inform the Head of Service that agreement has not yet been reached. TU representatives should also inform their local TU rep that agreement has not yet been reached.

By second week in June

As per section 3.3, if no resolution is agreed by 17 June the arbitration process to be arranged by the LNCT joint secretaries.

- Process concluded at local authority level

Onward referral to SNCT/Joint Secretaries if no resolution is agreed. Status quo ante to be put in place pending national resolution.

August

If there is still no agreement, **the previous WTA and school calendar will remain in place until agreement is reached.**

APPENDIX 5

TIPS FOR SUCCESSFUL WTA AND SCHOOL CALENDAR CONSULTATIONS

During negotiations

Allow sufficient time:

- For evaluation of the current WTA and calendar
- Discussion of the new WTA and calendar
- Sharing thoughts and opinions

Encourage discussion on:

- What has worked well in the current session
- What has worked less well
- What the school's key improvement priorities are for the coming year