



Education and Learning Service

Highland Local Negotiating Committee for Teachers

**LNCT Agreement no. 17
(Revised June 2023)**

**Agreement on the 35 Hour Week for
Teachers**

HIGHLAND LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

AGREEMENT ON THE 35 HOUR WEEK FOR TEACHERS

1. INTRODUCTION

- 1.1 This agreement applies to all teachers and is based in the Code of Practice on Working Time Arrangements for Teachers (SNCT Handbook, Part 2: Appendix 2.7)
- 1.2 The SNCT Code of Practice on Working Time Arrangements for Teachers states: *“The individual and collective work of teachers should be capable of being undertaken within the 35 hour working week”*
- 1.3 The arrangements set out in this paper apply to all grades of teachers, including those in promoted posts. The term ‘teachers’ will be used throughout the rest of this agreement to refer to all teacher grades.
- 1.4 The provision in this agreement will also apply on a pro-rata basis to teachers who are contracted to work less than the full 35 hour working week and to those on fixed term contracts. The provisions do not apply to short term supply teachers as defined in the SNCT Handbook, Part 2.3, paragraphs 3.1-3.3.
- 1.5 One of the key elements of the SNCT Code of Practice on Working Time Arrangements for Teachers is the emphasis on enhancing the professional status of the job of teaching, providing greater professional autonomy for individual teachers and ensuring a collegiate and participative style of management. Teachers will agree the range of collective activities contributing to the wider life of the school on a collegiate basis.
- 1.6 The Code of Practice on Working Time Arrangements for Teachers indicates a range of activities which can be undertaken within the 35 hour working week. This provides the basis for all agreements in relation to working time.

2. THE WORKING WEEK

- 2.1 The breakdown of the 35 hour working week for an un-promoted full-time teacher is as follows:
 - (i) Maximum class contact time = 22.5 hours
(18.5 hours for probationers on the Teacher Induction Scheme)
 - (ii) Personal preparation and correction time = 7.5 hours
 - (iii) Remaining time /collegiate activities = 5 hours

Promoted teachers have a management time allowance which reduces their class contact time.

Pro-rata arrangements apply to teachers who are contracted to work less than the full 35 hour working week.

- 2.2 Schools are required to reach agreement on the operation of the 35- hour week. This LNCT agreement provides a framework for school based planning on the use of time to meet local circumstances.

- 2.3 The SNCT Handbook makes it clear that all tasks which do not require the teacher to be on school premises can be carried out at a time and place of the teacher's choosing.
- 2.4 Teachers intending to be out of school during the pupil day must notify their line manager. Schools should agree an efficient mechanism for this.
- 2.5 In exceptional circumstances, where there is concern for the health and safety and welfare of pupils, all teachers would be expected to remain on duty in order to ensure the safety of all pupils. Such exceptional circumstances would supersede paragraph 2.4.

3. CLASS CONTACT TIME

- 3.1 The maximum class contact time is 22.5 hours per week.
- 3.2 Part-time teachers will have pro-rata maximum class contact.
- 3.3 It is anticipated that teachers may be required to provide cover for absent colleagues in line with the national agreement on cover. Such cover counts in full as class contact time. On this basis it is only those teachers who have, or at the end of the week, would have, a class commitment lower than the maximum that could be expected to provide cover. The total of allocated classes and cover in any one working week must not exceed the maximum class contact limit specified.
- 3.4 There may be exceptional emergency circumstances when a teacher unexpectedly has to leave a class at short notice. In such circumstances, it would not be unreasonable to expect a teacher to cover the class even if in doing so, his/her maximum class contact limit for that week may be exceeded. Such instances, by their very nature, would be extremely rare. Where such a circumstance arises, the Headteacher should ensure that the time is made up to the teacher at the earliest opportunity.
- 3.5 Faculty heads, principal teachers, depute headteachers and headteachers have management time which reduces their class contact commitments.
- 3.6 For the purposes of this agreement additional individual pupil contact times will be regarded as Additional Supervised Pupil Activity.

4. PERSONAL TIME

- 4.1 As per paragraph 3.4 of the SNCT Handbook: "an allowance of no less than one third of the teacher's actual class contact commitment is provided for preparation and correction".
- 4.2 For planning purposes, all full-time, un-promoted teachers will receive a personal allowance of 7.5 hours.
- 4.3 Preparation and correction time will be available in meaningful blocks of time of not less than 45 minutes.
- 4.4 Timetables should be normally constructed to prevent a teacher having all of their non- class contact time on a Monday and a Friday.

- 4.5 Non-class contact time should be allocated on a weekly basis except where there is a collegiate agreement in the school's negotiating group that it wishes to develop an alternative approach to working hours.
- 4.6 Any variation from the weekly allocation of non-class contact time should be arranged in line with the provisions contained in the Code of Practice on Working Hours, Working Week (SNCT Handbook, Part 2:Appendix 2.17).
- 4.7 Whole school or stage assemblies should not be introduced as a method for providing teachers with non-class contact time, except in exceptional or emergency situations.

5. USE OF REMAINING TIME

- 5.1 The Code of Practice states that *"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 out with class contact. This requires to be reflected in the way that a teacher's working time 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"*

5.2 FLEXIBILITY

- a. 20% of the remaining time, i.e. 38 hours must be allocated by each school to allow scope to react to short notice operational pressures and to meet the needs of any such unplanned commitments e.g. Education Scotland inspections, and incorporated into the school working time agreement.
- b. Thereafter, in agreeing the use of the remaining time, it is necessary for schools to allocate time to parents' meetings and staff (stage/department) meetings and to agree when they will take place. Other collegiate activities will require to be prioritised for inclusion within the available time and assessed as to the time needed for their completion.
- c. In the spirit of, and recognising the professionalism of teachers, an appropriate strategy of or the allocation of tasks would be to agree reasonable submission dates, for example, for forward plans; pupil reports; reporting of short term working groups. Teachers should be supported in organising their workload to complete these agreed tasks within the agreed timescale.
- d. Where there are problems in managing workload, advice and support should be sought from a teacher's line manager, backed by evidence from the member of staff of difficulties in finding time to overtake the tasks.

5.3 ADDITIONAL TIME FOR PREPARATION AND CORRECTION

Additional time can be made available as required by individual circumstances or workload and negotiated on an individual basis.

5.4 PARENTS' MEETINGS

- a. Individual schools should reach agreement on the number and duration of meetings required on an annual basis.
- b. Parents' meetings can take place in the evening or end-on to the school day. If end-on to the school day, then staff should be allowed sufficient time for a break.
- c. Up to 5 hours should be allocated to each meeting. This includes preparation time.
- d. Individual teachers should not be expected to attend parents' meetings for groups of pupils whom they do not teach.
- e. When an individual teacher has met all the parents whom he/she is scheduled to meet then the teacher should not be expected to remain at the meeting.
- f. It is recognised that teachers may arrange to meet parents outside the formal structure of these meetings. This should be planned from remaining time.
- g. Meetings will be scheduled and once agreed teachers are expected to participate as appropriate.

5.5 STAFF MEETINGS

- a. Schools will reach agreement on the number, frequency and duration of meetings.
- b. Meetings may include whole staff meetings; department or stage meetings; management meetings; working groups; committee meetings; primary/secondary liaison meetings.
- c. Most meetings will take place at the end of the pupil day but this does not preclude meetings taking place by agreement during the pupil day.
- d. Meetings will be scheduled and once agreed teachers are expected to participate as appropriate.

5.6 FORMAL ASSESSMENT

Assessment of a diagnostic or formative nature should be considered as part of normal preparation and correction. However, time should be allocated where this is required and agreed at establishment level, when assessment is summative and part of formal process, e.g. end of unit tests. Consideration should be given in relation to other time being made available to any teacher e.g. the use of external invigilation, SQA and preliminary examinations, S1 June timetables, student work experience etc.

5.7 FORWARD PLANNING

- a. Forward planning is an important part of the professional duties of a teacher. Agreement should be reached in the frequency and format of planning, within the Authority guidelines.

- b. Time must be set aside for this purpose, particularly in the primary sector where specific reference to LNCT Agreement No. 31 should be made.
- c. Work involved in constructing the school/department plan should also be included.

5.8 CAREER-LONG PROFESSIONAL LEARNING AND PROFESSIONAL REVIEW AND DEVELOPMENT

- a. Teachers (other than short term supply teachers) are contracted to carry out an additional **maximum** 35 hours of Career-Long Professional Learning (CLPL) per annum. Most CLPL will be undertaken within this additional time and on in-service days.
- b. It is, however, recognised that some aspects of CLPL can only be carried out during school time. This applies, for example, to some in-service courses organised locally or nationally, but also to activities such as shadowing colleagues to inform the teacher's practice as a reflective professional.
- c. Within the Working Time Agreement, sufficient time should be agreed over the academic year for the update of records and plans in the context of Professional Review and Development and Professional Update.

5.9 ADDITIONAL SUPERVISED PUPIL ACTIVITIES

Individual flexibility may have to be agreed with additional supervised pupil activities such as study support, educational trips and other educational activities. The key consideration is that when these take place, all contractual activities should be able to be overtaken within the context of the 35 hour week.

6. REACHING AGREEMENT AT SCHOOL LEVEL

- 6.1 The Highland LNCT Agreement No. 21 emphasises a collegiate approach to planning and all staff must therefore be involved in the decision making process as regards the composition and timing of collegiate activities.
- 6.2 Schools must have appropriate and effective mechanisms in place to ensure full participation by staff in reaching agreement on the use of collegiate working time.
- 6.3 The headteacher will make arrangements for discussion at school level and this will involve the recognised trade unions and other consultative groups within the school.
- 6.4 These discussions should take place during April and May for implementation in the following session.
- 6.5 The final programme must have the broad agreement of staff and be approved by a full meeting of staff. Thereafter a calendar of the following session's meetings and deadlines should be published and made available to staff before the end of the summer term.
- 6.6 Once agreement has been reached it is expected that all teaching staff in the school will undertake the activities as appropriate.

- 6.7 Once signed off, the agreement can only be amended through the same consultative mechanisms and subject to the approval of all teaching staff in the school.
- 6.8 The criteria for effective School Consultation and Negotiating arrangements should include:
- The establishment of school based negotiating machinery.
 - Involvement of recognised teachers' union school representatives.
 - An agreed framework for consultation and agreement with staff on the school development plan.
 - A collegiate framework for establishing school's programmes of activities.
 - Annual evaluation of the effectiveness of the school's programme of activities.
- 6.9 If there is failure to agree on any aspect of the 35-hour week at school level, the matter should be referred to the Joint Secretaries of Highland LNCT.
- 6.10 In situations where there is failure to agree and during any period of negotiation, the status quo ante will prevail.

7. MONITORING OF THIS AGREEMENT

- 7.1 Each school should agree arrangements for monitoring and reviewing the implementation and effectiveness of the working time agreement within their own school.
- 7.2 The LNCT will monitor the overall effectiveness of school working time agreements on an annual basis.

Signed on behalf of the Highland Council

Signed on behalf of the Teachers' Side

Name Nicky Grant
Designation Joint Secretary LNCT
Date 13 June 2023

Name Alistair Bell
Designation Joint Secretary LNCT
Date 13 June 2023

TIMEFRAME FOR THE CONSULTATIVE PROCESS AT SCHOOL LEVEL

January	LNCT 17 Agreement on the 35 hour working week for teachers is reviewed by a sub-group of the LNCT.
March	<p>The local agreement for the following session is agreed at LNCT.</p> <p>Local Agreement and associated documents are distributed to schools as soon as possible.</p> <p>At school level the composition of the school negotiating group (SNG), or relevant body, for the following session should be agreed and dates set for meetings.</p>
After Easter	Following receipt of relevant documents the Headteacher (HT) will convene the SNG, or relevant body, to review the school level Working Time Agreement (WTA) for the current session
April/May	Consultation period within the school. If required, mediation will be provided by the authority and teacher trade unions.
End May	WTA for the following session to be signed off by the HT and the appropriate members of the SNG.
Early June	WTA to be submitted to CLStaffing.lnct@highland.gov.uk