

**Working Time Agreement
Local Negotiating Committee for Teachers (LNCT) Additional Guidance
Issued – January 2023**

1. Introduction

West Lothian Council Education Services is committed to working with professional associations, through the LNCT, to ensure the successful and continuing implementation of the 21st Century Agreement.

The 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,” and to promote collegiality at all levels.

The working week for teachers is 35 hours and will be structured around the pupil school week. The maximum class contact time for teachers is 22.5 hours per week.

The 21st Century Agreement requires that each school ‘agree’ a school plan for the 35 Hour Week. The Code of Practice on Working Time Arrangements for Teachers (SNCT Appendix 2.7) requires that mechanisms for negotiating such agreements at school level should be determined at local authority level through the LNCT.

This guidance represents the agreed view of the LNCT and is designed to assist schools in reaching agreement on the school plan for the 35 Hour Week within their establishment.

2. Planning for 35 Hour Week

The individual and collective work of all teachers should be capable of being undertaken within a 35-hour working week. This revised guidance is designed to assist in improving the workload situation and allocated times have been adjusted to be more realistic in terms of time required for the various and varied tasks undertaken by teachers, with specific reference to moderation, collaborative planning and collegiate practices.

Within the 35-hour week, a maximum of 22.5 hours will be dedicated to class contact except for those teachers on the National Teacher Induction Scheme. For teachers on the National Teacher Induction Scheme, within the 35-hour week, a maximum of 18.5 hours will be dedicated to class contact. The provisions of this guidance will apply to all full-time teachers and on a pro-rata basis for those on part time contracts.

Agreements reached at school level must abide by the general principle of the 35-hour week. However, while it is agreed that 35 hours per week will be the norm it is accepted that there may be agreed exceptions within the school calendar, for example weeks which include Parent Consultation Meetings.

In planning the school calendar consideration will also have to be given to other peaks of teacher activity such as assessment, moderation and reporting. The 35 hour week should be the norm and any exceptions must be agreed.

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 managing teachers’ workload. It is not intended that there should be any mechanism put in place for tracking time on a daily or weekly basis.

It will be up to individual schools to negotiate and agree hours depending on their individual needs.

Once the school plan has been agreed, individual teachers will review their own proposed activities for the coming year against the agreed list of school activities. This may be part of a group/departmental discussion.

3. Class Contact Time

The maximum class contact time in all sectors for a full-time teacher is 22.5 hours per week equating to 855 hours per year.

4. Personal Allowance (Preparation and Correction)

An allowance of no less than one third of the teacher's actual class contact commitment is provided for preparation and correction. It has been practice in West Lothian Council to set an allowance of 285 hours per year

5. Non-contact time

Non-contact time is any time beyond a teacher's class contact maximum and the pupil week (pro-rata for part time staff). For example, in primary, a full-time teacher has a class contact maximum of 22.5hrs over a 25hr pupil week. There is, therefore, a balance of 2.5hrs of 'non-contact time' which forms part of a teacher's 7.5hrs personal allowance across the 35-hour week. Non-contact time should be provided for at school level in blocks of **no less than 30 minutes**, but preferably longer blocks of time should be timetabled for wherever possible. This is to ensure the time can be used most effectively for both teachers and also for the quality of learning planned for the classes being covered. Non-contact time should be timetabled at school level and, once set, must not be changed due to a week being 'foreshortened' (e.g. due to a bank holiday, in-service day, etc.). For the avoidance of doubt, it is the expectation that timetables will remain as normal on a short week. This will mean some staff will receive their full non-contact entitlement whilst others may receive less. As a result, it is recommended that timetables are adjusted throughout the year to ensure the same staff are not affected. By keeping non-contact timetables set this will help ensure continuity for learners and teachers.

6. Planning, Assessment, Moderation, Reporting and Recording

Planning takes various forms including long or medium-term forward planning, weekly planning and daily planning. It also includes planning for individual learners and groups where appropriate. Daily / weekly plans are mainly for the teachers' own use and can take whichever form is preferred by the individual but should be brief (e.g. a diary approach) whilst planning to the level of detail which will work best for the learners in class.

Forward planning (anything beyond a daily/weekly plan) should be manageable and make use of resources available from the "Moving Forward in Learning" groups at West Lothian Council to help manage workload related to planning. There is no need to plan, assess, record and report at the level of each and every Experience and Outcome. It is almost always better to group together related Experiences and Outcomes and focus on the most significant aspects of teaching and learning. Formats for forward planning should be agreed at school level to ensure a consistent approach between classes to aid planning, assessment, moderation, dialogue and transition activities.

Importantly, forward planning should support professional dialogue rather than simply perform an audit function.

Moderation plays a key role in ensuring high quality teaching and learning in all schools. Moderation should be planned for and suitable time given to both plan and moderate but also to enable changes to be made following moderation activity.

Reports to parents should give a clear, rounded personalised summary of their child's learning and progress. They should feel personal and specific to each child whilst remaining manageable. Group comments can be utilised where appropriate but taken as-a-whole the report should continue to feel personal.

7. Curricular Development

Teachers will engage in planning for the development and delivery of the curriculum at school level. Additional opportunities for work at cluster or authority level may be available. Curricular development should be an ongoing process based on feedback, evaluation, reflection, professional dialogue and wider engagement.

All teachers have a duty to engage with curricular development and adequate time and opportunities should be made available.

8. Collegiate Activity

Teachers will engage in a wide variety of collegiate activity. Examples of this include professional enquiry, professional dialogue with colleagues, quality assurance visits, peer evaluation and collaborative practices.

Collegiate activity should be planned primarily in order to impact the learning and teaching experiences within school and to embrace opportunities for collaborative working on, and informing, school developments, for example the School Improvement Plan.

9. Mandatory E-Learning Modules

Teachers are required to complete a number of mandatory E-Learning modules each year. The exact modules are subject to change and the Joint Chairs of the LNCT will confirm which modules are required to be completed. In 2023/24 it is expected that 5 modules will require completion: Data Protection, User Security Awareness, Records Management, Positive Approaches to Behaviour (children and young people) and Safer De-Escalation (children and young people).

10. 'Excellence and Equity'/Attainment Meetings

Schools will identify suitable time for internal review of pupil progress, and resulting self-evaluation, at whole school, faculty or departmental level, as appropriate.

11. Meetings with Parents

Staff often meet with parents outwith the formal Parents' Evening structure. To take account of such meetings the allocation for meetings with parents may be increased where appropriate. Agreement should be reached at school level on the timing and structure of parents' meetings. Where meetings take place during the pupil day (e.g. Child Planning Meetings, IEP Review Meetings, etc.) then consideration should be given to class cover to enable class teachers to attend these meetings

12. Staff Meetings

Staff meetings take various forms e.g. whole school meetings, stage and departmental meetings, guidance/pastoral team meetings, management meetings, working groups, etc. 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.

13. Personal Review and Development

The Working Time Agreement should include sufficient time to allow teachers to fulfil their obligations in terms of Professional Update. It will be necessary to recognise the additional workload of promoted staff responsible for carrying such reviews in the allocation of Management Time and/or remaining time.

14. Corporate Reporting Tasks/Activities

A reasonable amount of time should be set aside for required corporate administrative tasks relevant to the role of the teacher such as excursion planning/paperwork, undertaking and completing relevant risk-assessment tasks (as well as completion of Sphera incident reports), which can only be completed through the Council network, or any locally agreed tasks requiring teacher input.

15. Use of 'Remaining Time'

This agreement specifies the time allocation for a variety of collegiate activities. The additional time (that is, beyond class contact time, personal allowance and specified collegiate activities) shall be referred to as the 'remaining time'.

The use of that 'remaining time' will be subject to agreement at school level. The range of appropriate activities is listed in Appendix 2.7, and includes:-

- additional time for planning and assessment
- parents meetings
- staff meetings
- preparation of reports, records etc
- curriculum development
- additional supervised pupil activity, and
- career long professional learning

As such, the balance of time can be used by teachers to supplement the time allowed by the Working Time Agreement to undertake the tasks specified within it. It should be noted that an element of flexibility should be factored in to allow for priorities that might arise during the course of the year.

16. Management Time

All management responsibilities must continue to have an amount of time agreed and allocated specifically to tasks as appropriate.

17. Trade Union/Professional Association Meetings

An allocation of time may be made for Trade Union meetings. The distribution of that time should be agreed to meet the needs of the school. It is recognised that other Professional Association Activities will take place out with the school day.

18. Career Long Professional Learning (CLPL)

Teachers are expected to continue to meet the full commitment of 35 hours CLPL and maintain an individual CLPL record. These 35 hours do not take place during in-Service Days.

19. Balance of Time

It is good practice to leave a balance of hours unallocated within the WTA to enable flexibility in terms of unexpected or unplanned but necessary items including Validated Self-Evaluation (VSE) visits, a visit or inspection from His Majesty's Inspectors of Education, etc.

20. Time and Place for Activities

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 manager of their intention in this respect. However, given the nature of schools and the health and safety of students and staff it will be necessary to ensure that appropriate staff cover is available at all times when pupils are present.

All schools will be expected to have clear cover policies within a framework provided by the authority. This will assist teachers in identifying, wherever possible, times and periods when they will be required for cover purposes.

21. Mechanism for Agreement at School Level

The Working Time Agreement (WTA) is negotiated and agreed annually by each school between teacher representatives (including trade union representatives) and the Headteacher taking full account of this guidance document. This becomes known as the School Negotiating Committee.

A school branch meeting of all staff (but not normally the Headteacher) should be organised in April or May to discuss and evaluate the current WTA and propose any changes that may be desired.

The trade union representative(s) of the school and the Headteacher then meet to negotiate changes and enable a draft of the school's annual calendar to be created.

There should then be a further branch meeting called to discuss the negotiation and decide on the position.

If the draft WTA is agreeable then it should be signed by the Headteacher and the Teachers' Representative(s).

WTA negotiations should be concluded by the end of term in June ready to be in place for the new academic year in August.

The WTA and School Calendar are negotiated together.

The calendar must take account of part time staff to ensure all staff receive their entitlements under the WTA. For example, it is unacceptable for a school to hold all collegiate sessions on a Friday afternoon if there are part time staff who do not work on a Friday. Alternatives include the use of 'twilight' sessions and having a spread across the working week throughout the year. Part time staff cannot be asked to attend work on a day they do not normally work, with the exception of parents' consultation evenings and in-service days (pro rata).

The calendar should also take account of the working week and you should ensure only 1 event per week (e.g. avoid having parents' consultations and a staff meeting in the same week).

Once negotiations are complete, the WTA and School Calendar should be submitted to the local authority for the attention of the Joint Chairs of the LNCT.

In the event that an agreement cannot be reached the internal process for dealing with a dispute will be applied.

Where the dispute cannot be settled representatives from both the management and professional associations of the LNCT will investigate the matter and seek resolution of the dispute. Such representatives will not be from the schools where the dispute has arisen.

Failure to resolve the dispute will be reported to the LNCT.

This guidance is agreed by the West Lothian LNCT. Headteachers will receive a regular briefing on school agreements, to be delivered jointly by representatives of the LNCT.

Appendix 1

It is recognised that the allocation of hours within the 35 hour week in each school agreement will be influenced by size, sector and other factors.

The 35 hour week for teachers is equivalent to 1365 hours per annum. This equates to 195 days including in-service days.

35 Hour Working Week for Teachers in all Schools – 190 Hours to be negotiated

<u>Activity</u>	<u>Hours</u>
Class Contact	855 (22.5 hours per week)
Personal Allowance	285 (7.5 hours per week)
In-Service Days	35 (5 days per year – aligned with the school pupil day)
Planning, Assessment, Reporting and Recording	To be negotiated and agreed at school level
Curricular Development	To be negotiated and agreed at school level
Collegiate Activity Time / Network Sessions	To be negotiated and agreed at school level. Between 8-10 2-hour CAT/Network sessions per year as agreed at school level.
Mandatory E-learning Modules	3.5 hours
Performance Review	To be negotiated and agreed at school level
Meetings with Parents	To be negotiated and agreed at school level
Staff Meetings	To be negotiated and agreed at school level
Personal Review and Development	To be negotiated and agreed at school level
Corporate Reporting Tasks/Activities	To be negotiated and agreed at school level
Balance of Time	To be negotiated and agreed at school level
TOTAL	1365