



*Working Time Arrangements and
School Based Consultation
(LNCT12)*

Guidelines

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Scope

The LNCT has agreed that Joint Secretaries are authorised to issue extant agreements that require only minor amendment as LNCT agreements. One such area is in relation to collegiality and school based consultation.

While there is further work to be done in developing the position on collegiality, following the issue of the national Code of Practice on Collegiality (contained within the SNCT Handbook of Conditions of Service as Appendix I.4), a joint statement on Working Time Agreements is issued annually.

In addition there is existing guidance on School Based Consultation. This guidance is still current though some of the terminology is slightly out of date.

This circular brings together the joint statement and the guidance on school based consultation for ease of reference.

Tony Finn (Management Side)
Peter Quigley (Teachers' Side)
LNCT Joint Secretaries



EDUCATION SERVICE

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Our ref: KG/SM

3 June 2008

TO ALL HEADTEACHERS

Dear Colleague

A Teaching Profession for the 21st Century – Joint Statement

Please find attached an updated Joint Statement for session 2008/2009. As in previous years, full discussion/consultation should take place with all staff and the trade unions represented on the Education Forum in reaching agreement.

Where appropriate, you should also discuss any significant changes with parents and your Parent Council.

Finally, could I remind you that completed agreements should be sent to my office (and to Peter Quigley, the Secretary of the Staff Side) by the end of June 2008.

Thank you for your support.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kenneth Greer".

Kenneth Greer
Executive Director (Education)

Enc.

Fife Council, Rothesay House, Rothesay Place, Glenrothes, Fife, KY7 5PQ Tel: 01592 583372

FIFE COUNCIL EDUCATION SERVICE

A TEACHING PROFESSION FOR THE 21ST CENTURY

A JOINT STATEMENT FROM MANAGEMENT AND TRADE UNIONS

Within Fife Council, the Education Forum/LNCT is a joint body of management and trade unions. It is a shared view that this has worked effectively and meets the requirements for a Local Negotiating Committee, as described in the National Agreement.

1.0 Introduction

- 1.1 This paper builds on the current agreement made between management and trade unions in the Education Service in Fife Council. It sets out the terms of the agreement for 2008-2009.
- 1.2 In most schools in Fife, school agreements have been made with little difficulty. That is a tangible mark of the trust and effective working relationships at local level and is a positive basis on which to go forward.
- 1.3 It is important to restate the potential within the agreement to make significant and sustained improvement to the professional conditions for teachers and to impact positively on the quality of educational provision and levels of achievement of young people in Fife.
- 1.4 Workload issues will continue to be monitored and addressed by the Staff Welfare and Workload Monitoring Groups

2.0 Working Year

- 2.1 Annex D of the agreement – the Code of Practice on Working Time Arrangements for Teachers – is accepted as the basis for agreements.
- 2.2 There is an allowance of personal time for teachers for preparation and correction of no less than one third of the teacher's actual class contact commitment. The individual teacher decides on the nature, timing and location of such work. It is the responsibility of the teacher to notify the appropriate manager in school of their intention to carry out such duties out of school.

3.0 Planning of the Working Year

- 3.1 In planning for session 2008/2009, schools should consider the balance between time needed for routine, maintenance activities and development needs. In the case of significant school, council or national initiatives (e.g. Curriculum for Excellence), schools should consider how appropriate time and support may be made available to meet agreed needs.
- 3.2 It is recommended that schools consider the use of closure days along with time available within the contractual working week so that a holistic picture of school activities may be prepared. School improvement planning should be accounted for within that overall picture.
- 3.3 Prioritisation of activities is essential. In addition, an analysis of the time such activities currently take will enable schools to make a realistic assessment of the utilisation of the available time. In relation to certain activities, e.g. development tasks, setting appropriate

deadlines for completion is commended as an effective approach through school improvement planning.

- 3.4 The national agreement is clear that the individual and collective work of teachers should be capable of being undertaken within the 35 hour working week. This is a clear recognition that a professional approach to the work of teachers must be complemented by the requirement that workload is properly assessed and managed.
- 3.5 School staff have a key role to play in monitoring the agreement. It is therefore recommended that schools should carry out a review of progress by Easter 2009 prior to the commencement of the planning process for 2009-2010. Appendix 3 gives an example of a questionnaire which could be used as part of this review process.
- 3.6 The following guidance is given to assist the planning process at school level:
- (i) Consider the adequacy of the personal allowance for preparation and correction, taking account of the circumstances of the school.
 - (ii) For parents' meetings, the number of meetings should be determined by the need for good parent/teacher contact on individual pupils' progress. It should be remembered that parents' meetings do not provide the sole opportunity for the transfer of information between teachers and parents. Parents' evenings may take place in the evening or end on to the school day, subject to appropriate consultation. Necessary arrangements should be made to allow for preparation and attendance. Consultation with parents should take place on any proposed change to existing arrangements at school level.
 - (iii) Consider the range of possible meetings, e.g. whole staff, smaller groups. There is no change in Education Service guidance in relation to management time in all sectors or guidance and departmental meetings in the secondary sector.
 - (iv) Preparation of reports should take account of pupil numbers, and typical completion times.
 - (v) Guidance is available on forward planning which includes formats for long-term planning. Together with recent guidance on personal learning planning, this is designed to minimise teacher workload, while focusing on improving the learning and attainment of pupils.
 - (vi) Time should be allocated where assessment is formative or summative and/or part of a formal process whether related to internal or external assessment.
 - (vii) The annual review of continuing professional development is a core activity for all teachers and account should be taken of this in all of our schools.
 - (viii) Other activities listed in Annex D apply. Specific school circumstances, can lead to the inclusion of other activities e.g. special schools and departments will have needs in relation to preparation of IEPs,. In short, plans made at school level will reflect the diversity of circumstances and characteristics of schools.
- 3.7 For planning purposes only, it may be useful for schools to consider the following figures for available time aggregated over the school session:

Nursery/Primary	190 hours
Secondary	190 hours
Special	190 hours

In planning the use of available time in this way, a meaningful proportion should be left for flexibility which could be utilised by agreement for unplanned commitments which arise during the session (e.g. HMI visit). Any such time unused would be assumed to be assigned for additional preparation and correction.

- 3.8 Agreed activities should then be arranged across the school session in a timetable in a way which reflects school needs, takes account of the different pressures on schools at different times and which meets the national agreement. The attached planning format may be helpful as an aid to planning for schools, or departments in secondary schools.

4.0 **Reaching Agreement**

- 4.1 The expectation is that in most schools the outcomes can be agreed promptly and amicably. Jointly, it is recognised that there exists the potential for difficulties to arise, although it is hoped these will be minimal. Accordingly, a joint approach by management and trade unions will be established to address situations where management or trade unions register that there is not agreement.
- 4.2 The headteacher should agree the method and process of reaching agreement with the committee of representatives of teacher trade unions which are represented within the current Education Forum. The committee of union representatives should constitute itself on a basis proportional to numbers of their members in school. This agreement should be recorded.
- 4.3 Thereafter, all staff should be consulted on the proposals. The proposals should take full account of the priorities to be addressed and the calendar within which they are to be managed. Again, the agreement should be formally recorded between the headteacher and the trade union representatives.
- 4.4 The Record of School Agreement on the Working Year (Appendix 1) and any planning formats should be returned by the headteacher to the Executive Director (Education) and the Secretary of the Staff Side of the LNCT, to confirm agreement with the trade union representatives.
- 4.5 Where agreement cannot be reached at school level, referral should be made to a joint trade union/management mechanism at service level. This is the Dispute Resolution Procedure as agreed by the JCG. Referral for non-agreement can be made either in relation to the process or the proposals. Referral should be made to the Executive Director (Education) by the headteacher. If such a referral is made, the nature of the non-agreement should be detailed.

5.0 **Related Issues/Further Work**

- 5.1 Unless specific change is notified or has been agreed in the national agreement, existing policies and guidance from the Education Authority continue to apply.
- 5.2 Teachers undertake up to 35 hours CPD activities 2008-2009 in accordance with the Fife CPD Guidelines

6.0 **Conclusion**

6.1 The proposals set out in this paper provide the basis for going forward towards implementation in a planned and measured way. In addition to points of detail, it is fundamentally important that all concerned approach the future in a spirit where we wish to enhance trust, ensure the professionalism of staff is recognised and encouraged, and work together effectively to maximise the potential of each young person in all Fife schools.

Note: The Secretaries of the Education Forum are:

Staff Side

Peter Quigley
EIS Fife Local Association
Unit 29 – Evans Business Centre Mitchelston
Drive
Mitchelston Industrial Estate
Kirkcaldy KY1 3NB

Signed



.....
Kenneth Greer
Executive Director (Education)

Management Side

Tony Finn
Education Service
Fife Council
Rothesay House
Rothesay Place
Glenrothes KY7 5PQ



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Pat Fallow
Chair, Staff Side of LNCT

Date3 June 2008.....

FIFE COUNCIL – EDUCATION SERVICE

RECORD OF SCHOOL AGREEMENT ON THE WORKING YEAR

SCHOOL _____

A TEACHING PROFESSION FOR THE 21st CENTURY

We agree that the attached plan is accepted as the pattern for the working year for teaching staff in this school for school session 2008-2009.

Signed _____ Head

_____) Trade Union representatives

_____)

_____)

_____)

Date _____

Note: Please forward a copy of the above to

- (i) Executive Director (Education)
- (ii) Secretary of the Staff Side of the Education Forum

Peter Quigley
EIS – Fife Local Association
Unit 29 – Evans Business Centre
Mitchelston Drive
Mitchelston Industrial Estate
Kirkcaldy
KY1 3NB

FIFE COUNCIL – EDUCATION SERVICE

PLANNING FORMAT FOR THE WORKING YEAR/WEEK

SCHOOL _____

Collegiate Activity	Exemplar	Time Agreed
Additional preparation/correction	Preparation for your teaching and ongoing correction of pupil work	
Parent meetings	All collaborative activities involving parents including parents' evenings	
Staff meetings	All case conferences, meetings with external agencies and other partners. Participation in whole school and departmental meetings, meetings of professional associations and working groups; undertaking individual collegiate tasks/management tasks	
Formal assessment	Marking of class work, exams, portfolios etc for test or examination purposes	
Preparation of reports/records etc.	Recording pupil information or reporting on pupil progress	
Curriculum development	Development of new courses or aspects of courses not taught before.	
Forward planning	Forward planning and course construction	
Continuing professional development	Activities in relation to formal PRD process	
Additional supervised pupil activity	Any other formal contact with or supervision of pupils	
Professional review and development	Any activity undertaken in the course of an agreed CPD plan for the year	
Flexibility	Please specify (eg individual flexibility)	
Total		

FIFE COUNCIL – EDUCATION SERVICE

PLANNING FORMAT FOR THE WORKING YEAR/WEEK

Annual Evaluation – to be co-ordinated by the School Consultative Group

Teachers are encouraged to evaluate their personal workload against the generic figures agreed in their school. This will enable teachers to use professional judgement in relation to how their time is being used. It will also yield information which will feed into the School Consultative Group’s annual review of the Working Time Agreement.

To what extent did this year’s agreement allocate a realistic amount of time in relation to your professional responsibilities?

Identify any area where the time required under any given heading has been significantly different from what was planned.

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

Are any new priorities emerging that require an allocation of time?

FIFE COUNCIL EDUCATION SERVICE

GUIDELINES ON CONSULTATION

1. INTRODUCTION

- 1.1 These guidelines are based on the view that members of staff, regardless of their post or position within the Education Service, have an investment in a well-run and effective Service.

Within each school or part of the Service there is a pool of expertise which should be utilised to the maximum. It is an important aspect of management to ensure that this takes place. Consultation is one means of achieving this.

In its statement of values, Fife Council makes clear that an open participative style of management is required in all areas of its operation. This need for the involvement of, and consultation with, staff is further highlighted in initiatives within the Education Service, such as School Development Planning and Devolved School Management.

- 1.2 There are other reasons why consultation processes benefit the Service.

All staff are affected by policies and procedures at Authority or school level. Where these policies and procedures have been fully discussed and have the support of staff, they are more likely to be implemented successfully than those which do not have such support.

Consultation can enhance staff development in that staff may be involved in educational matters outwith their immediate interest or responsibility and may benefit from being introduced to various points of view.

- 1.3 Consultation allows individuals and groups to express views on an issue and to have their views taken into account prior to decisions being made.

It allows decision makers to benefit from a wide range of knowledge and experience without abdicating the responsibility for making the final decision. Consultation should be entered into on the basis that the views expressed will be taken into account and that changes in the proposals are possible. It must be seen to work; if views and comments are seen to be ignored the process will become discredited. Where decisions are reached which are seemingly at odds with staff opinion, managers will explain the reasons for these decisions.

It is important to recognise that consultation is not decision-making by majority vote.

- 1.4 This paper sets out guidance on various strands of consultation that are relevant within the Education Service of Fife Council.

2. LEVELS OF CONSULTATION

2.1 National Level

National bodies, such as the Scottish Office Education & Industry Department or COSLA, issue documents for consultation. Depending on the nature of the issue and the time available, the Head of Education should seek the views of Headteachers and Trade Unions to assist in the formulation of an Authority response. In the case of major issues, such a response will be submitted to the Education Committee for approval.

In this context, the frame for consultation is set by the national body. Within these constraints the maximum time possible will be given to schools and other organisations to respond. It is expected that Headteachers will involve staff in the consultation process.

- clarifying expectations;
- identifying where policy or practice is not achieving expected outcomes;
- ongoing monitoring.

In addition the Head of Education will seek the views of Headteachers, Trade Unions and other groups of staff on specific matters. Examples of this could include:

- draft policy statements;
- proposed changes to existing procedures;
- reviews of pilot projects;
- monitoring of existing practice;
- draft reports of Working Parties.

At times, consultation will extend to School Boards, pupils or the wider parent group. Within Fife Council, collaboration within the Social Strategy sector and consistency with corporate policy will also be relevant features to be taken into account in determining the nature and scale of any consultation exercise.

2.2 School Level

By national agreement Headteachers must consult staff at school level on specific issues, eg the use of planned activity time. However, the expectation of Fife Council is that staff will be consulted on all matters which would bring significant change in the working of the school or where the Council seeks a school response.

Regular meetings should be held between the Headteacher and Trade Union representatives to discuss matters of mutual interest or concern.

3. GUIDANCE ON PROCEDURES

3.1 When Fife Council is responsible for a consultation exercise, four working weeks will be allowed for that exercise.

If it necessary to curtail the time available, the reasons for doing so will be given.

While it will not be normal practice to respond to each individual submission received, the reasons for the decisions made will be given.

3.2 In planning consultation, the following points should be followed.

- (i) It must be made clear that staff are being consulted and that the issue is not being raised purely for information.
- (ii) When specific proposals are being put forward for consultation, these must be available to staff in writing and not simply presented verbally or on overhead projection transparencies. Every attempt should be made to issue discussion papers in advance of meetings to allow time for consideration. Staff should be allowed an absolute minimum of one working week to respond to consultation.
- (iii) While staff may be asked to respond as part of a group, eg as a whole staff or Trade Union or office staff, individual responses should also be possible. The length of time available for the consultation process should allow for meetings of groups of staff.

- (iv) The outcome of consultation should be notified to all who were invited to participate. It should be made clear when a decision has been made and what that decision is. If no decision has been arrived at, it should be made clear what follows.
- (v) A variety of means of consultation are possible. These include:
 - whole staff meetings
 - stage meetings
 - departmental meetings
 - working parties
 - committees
 - use of written submissions

No single method, of itself, will ensure effective consultation. Rather it will be the manner in which the consultation is approached and undertaken which will determine its effectiveness.

- (vi) Where meetings are used, the following principles should apply:
 - A clear agenda will be issued prior to the meeting. It will be possible for staff to place relevant items on this agenda.
 - Any discussion papers must be issued to allow time for consideration in advance of the meeting.
 - Consultation meetings must be given over to that purpose. They should not be taken up by routine announcements or other business.
 - Minutes of the meeting must be kept and circulated and must record any decisions taken.