

1. SECTION 4: GUIDANCE ON CHANGES TO THE DOCUMENT RESULTING FROM THE NATIONAL AGREEMENT⁽¹⁾

1. This section of the guidance relates to the changes to the School Teachers' Pay and Conditions Document (the Document) arising from the National Agreement on Raising Standards and Tackling Workload (the National Agreement). It has been agreed and endorsed by the signatories to that Agreement, who believe that the changes are helping to reduce teacher workload and raise standards by freeing teachers to focus on teaching and learning. The signatories are committed to keeping the implementation of all aspects of the National Agreement under review.
2. This guidance refers to contractual changes to the Document that came into force in September 2003, September 2004 and September 2005, and to those which come into force in September 2009. More detailed guidance is available at: www.tda.gov.uk/remodelling.aspx.

2003 CHANGES

ADMINISTRATIVE AND CLERICAL TASKS

Purpose of the provisions

3. Teachers need support so that they can focus on teaching and learning and expect administrative and clerical processing normally to be done by support staff and/or through more effective use of ICT. These provisions ensure that teachers cannot routinely be required to undertake administrative and clerical tasks.
4. The contractual changes apply to all teachers at a school, including teachers on the leadership spine and ASTs whether on permanent, fixed-term or temporary contracts and to teachers on part-time contracts.
5. The contract for head teachers never contained a duty to perform this type of task. However, some head teachers often felt obliged to undertake such work. That was a distraction from their leadership role. They should now have identified any tasks which are no longer necessary and delegated those which should be more appropriately carried out by members of the school support staff.

Defining administrative and clerical tasks

6. Some administrative tasks are straightforward – filing pupil

⁽¹⁾ Additional guidance referred to in this section may no longer be available.

records, recording absence data and collecting money. Others, such as administering examinations, ordering equipment and compiling and submitting bids require more expertise, but not necessarily that of a teacher.

7. Many activities in schools require a mixture of professional and administrative input. For example, writing reports on pupils' progress requires the expertise of a teacher. But that expertise is **not** required for many of the processes involved in producing the report - for example, "topping and tailing" reports or collating them either manually or using an ICT-based system. These elements should not routinely be done by teachers.
8. For the purposes of paragraph 63,12 the key tests for any task must be:
 - a) Does it need to be done at all?
 - b) Is the task of an administrative or clerical nature?
 - c) Does it call for the exercise of a teacher's professional skills or judgment?
9. If the answers to a) and b) are yes but the answer to c) is no, then the task should not be carried out by a teacher. The list at Annex 3 in the Document contains a number of examples. It is not intended to be exhaustive.

"Routinely required"

10. Tasks do not have to be done on a daily basis to be classed as routine. Many tasks, such as collating reports, may only be done once per year - this would still be classed as routine.
11. Schools should ensure that their administrative systems provide appropriate support for teachers. It is important that teachers make good use of that support. This requires good organisation of administrative activities by all school staff – it would be unreasonable, for example, for a teacher to ask for large bulk photocopying jobs to be done immediately before a lesson. Schools must ensure that the administrative system in place is robust enough to meet the continuing needs of the remodelling agenda, and that it is clearly understood by both those who use it and those who provide it.
12. The changes reflected in these legal provisions are not mechanistic or about narrow issues of job demarcation. They are about teacher time being more exclusively devoted to high quality professional teaching tasks.

13. Consequently, teachers should not be given the option to “choose” to do administrative and clerical work. It is not an appropriate use of teacher time. Head teachers should ensure that administrative and clerical tasks are not carried out by teachers, even where this involves a difficult adjustment for some teachers. Teachers’ professional responsibilities are paramount and, in order to achieve the objective of raising standards and tackling workload, they must spend a larger proportion of their working time on those responsibilities.

Teachers with safeguarded management allowances for administrative and clerical tasks

14. There may be cases where teachers have safeguarded management allowances which were originally given for carrying out tasks that have been transferred to members of the school’s support staff. In accordance with the safeguarding provisions at paragraph 5.1.2, the relevant body must review the teacher’s assigned duties and allocate such additional duties as they consider appropriate and commensurate with the safeguarded sum, for as long as the teacher continues to be paid the safeguarded sum. In the context of the remodelling agenda any such additional duties should be focused on teaching and learning. There is no formal requirement to reach agreement on the nature of the additional duties, although it is good management practice to seek to do so.
15. Members of the leadership group, whose previous responsibilities included tasks of an administrative and clerical nature that subsequently transferred to support staff, should now be able to focus more on teaching and learning and to fulfil their contractual role, as defined in paragraph 58.2 in the Document. This includes: formulating the aims and objectives of the school; establishing the policies through which they should be achieved; managing staff and resources to that end; and monitoring progress towards their achievement.
16. Head teachers should ensure that these arrangements operate effectively.

Reviewing administrative systems

17. Administrative systems, and specifically the tasks listed in Annex 3, should be regularly reviewed to determine if there are different ways in which tasks can be carried out, or if they need to be carried out at all. No administrative task should be carried out by a teacher, which does not require their professional skills or judgement.
18. When giving administrative and clerical tasks to support staff,

head teachers should have regard to the suitability of the task to the member of support staff's current role; whether sufficient time is available or could be freed up; whether additional training is needed; and any implications for pay and grading. Any revision of job descriptions should normally be agreed between the head teacher and the member of staff. Any extension of working hours must be by agreement.

19. Where the need for additional staff is identified, head teachers may wish to take the opportunity to consider whether the new post could embrace a number of the facets of extended support staff roles identified in the National Agreement. Many schools have also benefited from the creation of specific specialist roles such as health and safety officers, examination and timetabling officers, attendance clerks and technical support staff. Small schools may wish to consider whether, for certain tasks, a post (for example, a Bursar) could be shared with a neighbouring school or schools.
20. Experience suggests that support staff will become more efficient in undertaking administrative tasks than teachers, not just because of the better division of labour, but because for them these tasks will be a primary function, rather than an unwanted distraction from teaching and learning.

Management

21. Managing the work of other staff (paragraph 61.10 – 61.14) should not include routinely seeking or giving advice on contractual issues such as pay and conditions of employment. There is no requirement in the Document on teachers to provide such advice. These matters should be referred to the individual with specific responsibility for personnel issues and/or the employer.
22. Teachers have a duty to direct and supervise the work of support staff, including in particular those undertaking teaching and learning activities. However, it should not automatically follow that they are required to undertake formal aspects of their line management. Many schools see it as appropriate and good practice for this role to be undertaken by a more senior member of support staff.

WORK-LIFE BALANCE

Purpose of the provisions

23. All teachers and head teachers should enjoy a reasonable work-life balance. The Document has been amended to reflect this. In relation to head teachers, specific provisions have been put in

place through regulations made under section 21 of the Education Act 2002 which put a responsibility on the relevant body (normally a school governing body or LA) to have regard to the work-life balance of the head teacher.

24. In England, Regulation 5 of the Education (Review of Staffing Structure)(England) Regulations 2005 (2005/1910) set out the duty of the relevant body with regard to the management of the head teacher. This duty was incorporated into the School Staffing (England)(Consolidation) Regulations 2009, which includes a reference to work/life balance under 'Head teacher duties and entitlements'. In Wales, Regulation 5 of The Education (Review of Staffing Structure) (Wales) Regulations 2005 (S.I.2005/1910 (W.153)) set out the duty of the relevant body with regard to the management of the head teacher. This duty was incorporated into The Staffing of Maintained Schools (Wales) (Amendment) Regulations 2009 and includes a reference to work/life balance under 'Head teacher's duties and entitlements'.

Implementing and monitoring work-life balance

25. Work-life balance is about helping teachers combine work with their personal interests outside work. It can help to recruit and retain better motivated staff through giving them greater control of their working lives and a stronger sense of ownership. A school that is committed to work-life balance:
- (a) recognises that effective practices to promote work-life balance will benefit both teachers and pupils;
 - (b) highlights the joint responsibility to discuss workable solutions and encourages a partnership between individual teachers and their line managers;
 - (c) develops, monitors and evaluates appropriate policies and practical responses that meet the specific needs of the school, having regard to fairness and consistency; valuing teachers for their contribution to raising standards, not their working pattern;
 - (d) communicates its commitment to work-life balance to its staff; and
 - (e) demonstrates leadership and encourages senior managers to lead by example.
26. Employers have a duty to employees at common law and a legal duty under health and safety legislation, including the Health and Safety at Work Act 1974 and related legislation and the Working Time Regulations 1998. In addition, four provisions have been

put in place to encourage schools to develop effective work-life balance strategies:

- (a) additional hours for classroom teachers over and above the annual 1265 must be reasonable;
 - (b) for those teachers (deputy and assistant head teachers and ASTs) not covered by the 1265 annual limit on directed time, overall hours should be reasonable;
 - (c) head teachers must have regard to the desirability of all teachers at the school (including themselves and other members of the leadership group) being able to achieve a satisfactory balance between the time required to discharge their professional duties and the time required to pursue their personal interests outside work; and
 - (d) to the extent that head teachers direct their own work, they are covered by the provision above. However, specific provisions have been put in place through regulations made under section 21 of the Education Act 2002 which put a responsibility on the relevant body (be it the school governing body or LA) to have regard to the work-life balance of their head teacher and ensure that they are not required to work unreasonable hours and can achieve a reasonable work-life balance.
27. These changes form part of a wider commitment to secure downward pressure on excessive hours worked in schools over the years from September 2003, with progressive year on year reductions from some 52 hours per week during term-time. Overall teacher hours will continue to be monitored.
28. Individual schools face varying degrees of challenge in achieving this objective. A number of other strategies support head teachers and governing bodies. These include:
- (a) the revision of circulars 2/98 and 22/98 to deal with non-contractual provisions such as the conduct and frequency of meetings. These assist in tackling teacher workload and unnecessary bureaucracy at school level;
 - (b) the change management programmes in England and Wales, including advice and guidance from the Training and Development Agency for Schools (TDA) in England, as part of which schools are able to call on the support of a network of local facilitators/advisers; and
 - (c) the operation of the Implementation Review Unit (in England) and the School Workload Advisory Panel (in Wales), which make a concerted attack on unnecessary

paperwork and bureaucratic processes for teachers, head teachers and all who work in schools.

29. Effective preparation is essential in both introducing and monitoring work-life balance policies. Head teachers should consider how best to ensure that they monitor the work-life balance of their staff. Consultation with staff and trade union representatives could also aim to develop agreed strategies and procedures for monitoring. It is essential to communicate new or revised policies effectively, perhaps through non-contact days or the inclusion of work-life balance in staff reviews and appraisals.
30. Maintaining effective work-life balance requires ongoing monitoring and evaluation of work pressures. Some teachers may find it difficult to “let go” of work – in such cases head teachers will need to continue to take steps to ensure that such issues are addressed and resolved with the teachers concerned. It is not in the pupils’ interest for teachers to be working excessively long hours.

LEADERSHIP AND MANAGEMENT TIME

Purpose of the provisions

31. Members of the leadership group need time to focus on their leadership responsibilities and be supported in leading the reform agenda and managing change in their schools.
32. Many teachers outside the leadership group also have some form of leadership and management responsibility, including those of subject leaders and co-ordinators, heads of departments or faculties, ASTs, special educational needs co-ordinators and initial teacher training mentors.
33. Teachers with leadership and management responsibilities are now entitled, as far as is reasonably practicable, to a reasonable allocation of time within school sessions⁽²⁾ to support the discharge of their responsibilities. This is in addition to the contractual provisions on work-life balance and guaranteed planning, preparation and assessment time (PPA), which was introduced on 1st September 2005.

⁽²⁾ The Education (School Day and School Year) (England) Regulations 1999 (1999/3181) state that “every day on which a school meets shall be divided into two sessions which shall be separated by a break in the middle of the day” and that “at least 380 sessions shall be held at a school during any school year”. Under the Education (School Sessions and Changes and Remissions Policies)(Information) Regulations 1999 (1999/2255) heads are required to inform parents of “the times at which each school session begins and ends on a school day”.

34. The provision for leadership and management time applies to all teachers at the school with leadership and management responsibilities, whether employed on permanent, fixed-term or temporary contracts. It also applies to teachers on part-time contracts.
35. Head teachers are also legally entitled to a reasonable allocation of leadership and management time as a result of this and other amendments. These make it clear that leadership is one of the core duties of a head teacher and that they should be involved in teaching to such extent as may be appropriate having regard to his or her leadership and other functions and duties. In addition, provision for dedicated headship time was introduced on 1st September 2005.

Implementation

36. Given the varying nature and extent of responsibilities held by teachers, it is difficult to identify a formula for the amount of time which might be appropriate for each responsibility. This is a matter for the school. Schools should keep allocations of leadership and management time under review.
37. The provision of leadership and management time is intended to be a contribution to the time needed to discharge the relevant responsibilities. Subject to that qualification, some time for leadership and management must be allocated within school sessions, taking account of the nature and extent of the responsibilities of each member of staff and the management structure of the school. In order for the time to be meaningful, it should not be allocated in short blocks, for example ten to twenty minutes here and there.
38. The Document requires cover to be allocated on an equitable basis. While leadership and management time may be used for cover, this should happen only rarely, in circumstances that are unforeseeable.
39. Time for leadership and management can be identified using one, or a combination, of the following strategies:
 - (a) existing non-contact time already allocated specifically for that purpose;
 - (b) re-designation of some or all of any non-contact time previously allocated to support a variety of tasks, including those which do not require the professional expertise of a qualified teacher (and which should therefore be carried out by appropriate support staff); and

- (c) the release of teachers from pupil contact time which does not involve teaching. This includes pupil supervision, registration, attendance at assemblies and other similar tasks that can be carried out by appropriate support staff. Where appropriate, this should be in accordance with the provisions of the regulations and guidance made under section 133 of the Education Act 2002.
- 40. All schools should ensure that the allocation of leadership and management time is reasonable.
- 41. Schools should have ensured that whatever had already been done in relation to the provision of leadership and management time was sustainable in the context of PPA time.

No detriment

- 42. Where teachers already had timetabled non-contact time for leadership and management responsibilities, which was unaffected by the contractual change relating to administrative and clerical tasks, the amount of time should not have been reduced as a result of the implementation of the contractual changes relating to leadership and management time.

ASSIGNED TEACHERS

Purpose of the provisions

- 43. These changes were related to regulations made under section 133 of the Education Act 2002 and accompanying guidance. They were designed to protect the role of the qualified teacher and prevent job substitution. The provisions should be read in conjunction with the section 133 regulations and accompanying guidance.
- 44. The section 133 regulations clarify the respective roles of qualified teachers and other staff in schools, and specify circumstances under which certain kinds of staff without qualified teacher status (usually support staff) may carry out "specified work" related to teaching and learning, including requirements for appropriate direction and supervision of support staff by a teacher.
- 45. The changes to the Document place a duty on head teachers to ensure that each class or group timetabled for core and foundation subjects and for religious education and each class or group in the foundation stage has a teacher assigned to teach it. The assigned teacher is responsible for the progress of the pupils in the class/group over the course of the academic year.

Assigned teachers may be assisted in their work by other teachers and/or by support staff, some of whom may carry out “specified work”, who are deployed on the timetable to take that class/group for particular activities or lessons.

46. Paragraph 4 of Schedule 2 of the regulations concerns the appointment of instructors – person with special qualifications or experience or both. In circumstances where there is no qualified teacher, or trainee on the Graduate, Registered or Overseas-Trained Teacher Programmes available for an appointment, the body which normally appoints staff in the relevant school, either the LA or governing body, may appoint an instructor, provided that they have made the necessary judgement as to the instructor’s qualifications and experience.

2004 AND 2009 CHANGES

COVER

Background

47. The National Agreement on 'Raising Standards and Tackling Workload' signed in January 2003 provided the basis for work by schools to create time for teachers and head teachers to focus more of their time on teaching, and leading teaching and learning, including through:
- (a) progressive reductions in teachers' overall hours;
 - (b) changes to teachers' contracts, to ensure all teachers and head teachers have a reduced burden of providing cover for absent colleagues; and
 - (c) deployment of support staff to enable teachers and head teachers to focus on teaching and learning.

Purpose of the provisions

48. Progress on raising standards for pupils relies upon schools having in place policies and systems to free teachers and head teachers from excessive and inappropriate workload.
49. Cover for absence is not an effective use of teachers' time.
50. In the past, many teachers have borne a heavy burden of cover for absent colleagues. However, in accordance with the provisions set out in the Document, teachers may cover only rarely, in circumstances which are not foreseeable.
51. "Foreseeable circumstances" for the school include events that are foreseeable on the basis of historic experience; events that are foreseeable in the normal local experience; and events that may be expected as part of the evolving pattern of provision.

Implementation

52. Schools are required to ensure that teachers and the head teacher may be required to cover only rarely from 1st September 2009.
53. The contractual provision applies to all teachers and the head teacher at a school, including teachers on the leadership spine and ASTs whether on permanent, fixed-term or temporary contracts and pro rata to teachers on part-time contracts.
54. The only exceptions are teachers who are employed wholly or

mainly to undertake cover.

55. The Document contains a duty for head teachers to ensure that cover is shared equitably among all teachers in the school (including the head teacher), taking account of their teaching and other duties and of the need to ensure that teachers and the head teacher may be required to cover only rarely, in the case of circumstances that are not foreseeable.
56. The guaranteed PPA time of teachers at a school forms part of the legal conditions of employment and cannot be used for cover.

Definition of absence

57. Absence occurs when the person(s) who has been timetabled to take a particular class or group is absent. The type of absence could be for a variety of reasons, including internal and external activities as well as sickness. It could be short-term or long-term. All types of absence should be carefully managed to minimise the impact on teaching and learning for the pupil.
58. Pupil standards are paramount.
59. The absence of the person(s) who has been timetabled to take a particular class or group is the trigger for cover.
60. Teachers, including the head teacher, should cover only rarely, for absences which are not foreseeable.

Management

61. Every school should have in place a clear policy and robust system that does not require teachers or the head teacher to provide cover other than rarely.
62. Cover supervisors and higher level teaching assistants should be deployed for short-term absences only and should not be used as the remedy for the medium or long-term absence of a teacher.
63. Medium and long-term absences should be covered by a teacher, possibly through a fixed term appointment or supply teacher.
64. Each school will need to consider the appropriate deployment of a supply teacher in the case of long-term absence and may wish to revise the agreed timetable if there are good educational grounds for doing so. Such revisions to the agreed timetable should be subject to consultation with staff and their union

representatives.

65. The school should monitor and analyse patterns of absence (planned and unplanned) and levels of cover and manage these appropriately.
66. The member of the support staff administering the cover arrangements should keep a record of the amount of cover undertaken by each teacher. It is also advisable to maintain records of cover undertaken by other staff whose contract and job description specifies that a proportion of their time is/will be available to provide cover supervision.

School calendar and timetable

67. To ensure the system for managing cover is robust, every school should publish a calendar and timetable for each school year, in accordance with the provisions of paragraph 197 of section 3, and should:
 - (a) consult with staff and their union representatives;
 - (b) plan any changes well in advance; and
 - (c) deploy staff appropriately, according to their skills, experience and qualifications.
68. The school calendar sets out the school's activities scheduled to take place in the academic year, for example: learning outside the classroom, meetings, parental consultation evenings and INSET days.
69. The timetable sets out the school's provision for teaching and learning in the school's timetabled teaching week (as defined in sub-paragraph 46.1.1 of the Document).
70. The pattern of the school timetable may vary across the year. For example, a school may accommodate activities during the year by having a timetable that follows the same pattern for 36 weeks and a different pattern for 2 weeks. This is an illustration, and schools will devise their own patterns.
71. Teaching timetables are not frozen in time and there may be variations from year to year.
72. In-year changes to the calendar and timetable may be made, but this should be only for sound educational reasons – for example, a long-term absence or significant educational development. Such changes during the year should not be a frequent occurrence.

Learning outside the classroom

73. Learning outside the classroom is an important part of the curriculum and provision for it should be included in school calendars and timetables. Appropriate arrangements should be included in the timetable for both the staff and pupils who will be participating in learning outside the classroom and for those who are not.
74. Whatever timetabling pattern may pertain, it is the absence of the person who has been timetabled to take the class or group that is the trigger for cover.
75. The extended roles for support staff, which are an integral part of the remodelling agenda, provide the opportunity for schools to consider the use of appropriate adults, other than teachers, to undertake educational visits.

Gained time

76. During the academic year, particularly in the summer term, teachers who take examination classes/groups are often released from some of their timetabled teaching commitments as a result of pupils being on study or examination leave. Such time is known as gained time.
77. There are activities directly relevant to teaching and learning for which it would be appropriate and desirable to use gained time and which it would be reasonable for a head teacher to direct teachers to undertake. An agreed list of these activities is listed below:
 - (a) developing/revising departmental/subject curriculum materials, schemes of work, lesson plans and policies in preparation for the new academic year. This may include identifying appropriate materials for use by supply staff and/or cover supervisors;
 - (b) assisting colleagues in appropriate, planned team teaching activities;
 - (c) taking groups of pupils to provide additional learning support;
 - (d) supporting selected pupils with coursework;
 - (e) undertaking planned activities with pupils transferring between year groups or from primary schools; and
 - (f) where the school has a policy for all staff to release them for CPD during school sessions, gained time may be

used for such activities.

No detriment

78. The implementation of the requirement that teachers should only be expected to cover rarely from 1st September 2009 is not intended to result in a worsening of a teacher's overall working conditions.
79. Rarely covering is an integral part of the overall package of contractual provisions designed to raise standards by freeing teachers and head teachers from tasks which do not require their professional skills and expertise and enabling them to focus on their function of teaching and leading and managing teaching and learning. Schools' strategies for managing teachers rarely covering should secure downward pressure on workload, assisting to ensure that teachers and head teachers are not required to work unreasonable hours and that they can achieve a reasonable work-life balance.

Strategies for managing cover

80. Schools have a range of strategies for providing cover for absence, including through supply teachers, 'floating teachers' employed for the purposes of cover, TAs/higher level teaching assistants, who provided they meet the provisions of the Education (Specified Work and Registrations)(England) Regulations 2003⁽³⁾, can carry out 'specified work' (which includes delivering lessons to pupils) and cover supervisors. Supervision is not a good use of the time of a teacher and teachers providing cover should normally expect to teach rather than to supervise pupils.

Supply teachers

81. Supply teachers can be used to cover for all types of absence. Where supply teachers are providing cover, they must, as far as reasonably possible, be actively teaching and not mainly supervising pupils.
82. It is also important that supply teachers are managed properly and effectively, with regard to their teaching and developmental needs. They should have appropriate access to CPD to maintain their standards of subject knowledge, pedagogy and behaviour management skills.
83. Schools are encouraged to adopt good practice in the use of supply teachers. This includes:

⁽³⁾ S.I. 2003/1663, as amended by S.I.2007/2117, and S.I. 2008/1883, available at: <http://www.opsi.gov.uk/si/si2003/20031663.htm>

- (a) careful induction into the school using materials that are matched to their period of employment;
 - (b) the provision of simply structured and clearly explained medium-term and short-term plans that also define the teaching expectations, the resources to be used, the demands that should be made of the class and the homework that should be set;
 - (c) the provision of information about the abilities and prior attainment of the pupils in the class; and
 - (d) effective management so that all involved understand what is required and the professional standards that must be met.
84. Schools also need to have regard to the Part-Time Workers' Regulations which in certain circumstances may apply to supply teachers. Those who are not casual (i.e. not employed on a day-to-day basis) have, under these regulations, an entitlement to pro rata terms and conditions enjoyed by other teachers at the school. This would include access to CPD enjoyed by teachers at the school

Cover supervision

85. Cover for short-term absences may be provided by persons who are not qualified teachers. To the extent that, during the period of cover, such persons are involved in specified work, they must operate subject to the regulations made under section 133 of the 2002 Education Act and accompanying guidance.
86. Those providing cover supervision may be existing members of staff or they may be new staff appointed on contracts which have a defined range of appropriate administrative or support tasks, but which include cover as one of their key functions. In considering issues related to the deployment of support staff for this purpose, schools should have regard to Annex A of the Rarely Cover Implementation Process Guidance (published in April 2009)⁽⁴⁾.
87. The head teacher needs to ensure that any persons used in this way have been appropriately trained, particularly in pupil behaviour management. Such training is essential if those responsible for cover supervision are to make a real contribution to reducing the burdens on teachers.
88. Cover supervision is particularly valid in some settings where work has been set, or where pupils are able to undertake effective self-directed learning, for example within an ICT

⁽⁴⁾ http://www.socialpartnership.org/wamg_guidance.aspx

Learning Centre in a school. Strategies should be devised to ensure that the arrangements for providing appropriate work for pupils who are being supervised do not place excessive additional burdens of planning, preparation and assessment on teachers. This could include developing banks of appropriate material and/or attaching a cover supervisor to a year band, department or faculty to enable them to, for example, support the teachers in administrative tasks and to be involved in the planning and preparation of cover when necessary.

Higher level teaching assistants

89. The primary function of higher level teaching assistants is to support and assist teachers. They may be deployed to release teachers for guaranteed PPA time, provided that they carry out work specified in the regulations made under section 133 of the 2002 Education Act under the direction and supervision of a teacher.
90. In addition, HLTAs may be used for short-term cover, but their deployment in this way should be balanced against the educational desirability of regularly removing them from planned activities with the teachers to whom they are normally assigned.

2005 CHANGES

EXAM INVIGILATION

Purpose of the provisions

91. Invigilating examinations is not a productive use of teachers' time. From September 2005, teachers have no longer been routinely required to invigilate external examinations (e.g. National Curriculum tests, GCSE and AS/A2 examinations). Schools should have worked towards these changes and maximised the use of support staff as external examination invigilators, prior to the contractual change.
92. Teachers may, however, be required to conduct practical and oral examinations in their own subject area and to undertake the preparation of pupils and those aspects of assessment, recording and reporting associated with external examinations which require the professional input of a qualified teacher.
93. Teachers may also be required to invigilate internal examinations and tests where these take place during their normal timetabled teaching time. However, if a school reorganises the timetable for 'mock' examinations to replicate the external examination process then teachers should not be required to invigilate.

94. The principle underpinning the change is that invigilation does not require a teacher's professional expertise. In this context, it is a reasonable expectation that, subject to the agreement of the head of centre (usually the head teacher), a teacher should be present at the beginning of an external examination in their subject area to check the paper and to ensure that there are no problems with it. Those invigilating the examination should be made aware of the procedure for dealing with emergencies and for contacting a teacher in the subject area under examination should any candidate raise a concern or problem with the paper which requires their professional judgement. It may also be appropriate for a teacher to be present at the end of an external examination to ensure its efficient conclusion.
95. None of the tasks outlined in paragraph 94 above constitutes invigilation and all of them require a teacher's professional expertise. When carrying out such tasks, teachers should not be expected to stay in the examination hall/room for any longer than is necessary to perform them.

GUARANTEED PLANNING, PREPARATION AND ASSESSMENT TIME

Purpose of the provisions

96. The purpose of guaranteed planning, preparation and assessment (PPA) time is to relieve some of the existing workload pressures on teachers and to raise standards by providing some time for PPA within the timetabled teaching day.
97. Since 1st September 2005, all teachers at a school (including head teachers) with timetabled teaching commitments, whether employed on permanent, fixed-term, temporary or part-time contracts, have had a contractual entitlement to guaranteed PPA within the timetabled teaching day.

Principles underpinning the allocation and use of guaranteed PPA time

98. The amount of guaranteed PPA time should be set as at least 10% of a teacher's timetabled teaching time. Only teaching time within a teacher's 1265 contracted hours counts for these purposes, not other forms of pupil contact.
99. Guaranteed PPA time should be provided as part of a teacher's normal weekly or fortnightly timetable. It must take place, therefore, during the timetabled teaching day (i.e. during the time in which pupils are taught at the school) and must not be bolted on before or after pupil sessions. In order for the time to be put to meaningful use by the teacher, it must be allocated in

blocks of no less than 30 minutes.

100. Guaranteed PPA time must be used for planning, preparation and assessment – these duties are contained in the relevant paragraphs of the Document. The time must not be encroached upon, including by any obligation to cover for absent colleagues. It is for the teacher to determine the particular PPA priorities for each block of guaranteed PPA time, although that does not preclude them from choosing to use some of the time to support collaborative activities.

No detriment

101. The 10% guaranteed PPA time is a minimum figure. Any teacher who was already in receipt of more than this amount of time specifically for PPA prior to the introduction of this change should not have had his or her existing allocation reduced to 10%.

Implementation

102. For teachers who did not previously have a regular timetabled allocation of non-contact time, a reduction in teaching time will have been necessary to provide guaranteed PPA time.
103. Other teachers may previously have received non-contact time, some or all of which may have been designated for PPA-related activities. Where additional time was needed to meet the minimum allocation for such teachers, then one, or a combination, of the following strategies may have been necessary:
 - (a) a reduction in teaching time;
 - (b) changes in the use of existing non-contact time; and
 - (c) redesignation and redistribution of non-contact time currently allocated to teachers in the school for other tasks which will transfer to appropriate support staff, such as the administration of cover, organisation of work experience and the administration of examinations.
104. For example, a teacher who is timetabled to teach 20 hours out of a 25 hour teaching week must receive at least two hours of guaranteed PPA time. This time must appear on the teacher's timetable. Any non-contact time allocated for other activities (e.g. non-guaranteed PPA time, meetings, and time for leadership and management responsibilities) must be additional to the guaranteed PPA time.

105. It should be noted that, in some cases, it is possible that teaching commitments will increase as a result of remodelling. For example, a teacher who previously had a reduced teaching load to enable them to carry out responsibilities that are now undertaken by support staff may have more time to teach once that transfer has taken place.

Use of higher level teaching assistants

106. Some schools may choose to use higher level teaching assistants (HLTAs) as one of the strategies for releasing teachers for guaranteed PPA time, providing that the head teacher is satisfied that the HLTA meets all the provisions of the regulations and guidance made under section 133 of the Education Act 2002. Where HLTAs are deployed in this way, the teacher's guaranteed PPA time must not be encroached upon. In case of problems with a class, the HLTA should use the school's usual referral system, in the same way a teacher would in case of difficulties or an emergency.
107. In some cases, HLTAs will be deployed to release teachers with whom they work regularly and where they are familiar with the programme of work of the class. This will help to maintain continuity and to enable the work of the HLTAs to be incorporated into the teachers' normal PPA cycle.
108. Other schools may deploy HLTAs in specialist roles where they have relevant expertise and/or training (for example, in sport or modern foreign languages), under the direction and supervision of a single teacher in the school. In either case, arrangements for deploying HLTAs should aim to reduce the overall workload burden on the teachers they support.

Newly qualified teachers

109. In addition to their guaranteed PPA time, newly qualified teachers also benefit from the contractual provisions of paragraph 63.15. This states that teachers serving induction periods under the induction regulations do not teach for more than 90% of the time a teacher at that school who does not receive payments in respect of additional duties or responsibilities would be expected to teach.

DEDICATED HEADSHIP TIME

Purpose of the provisions

110. Head teachers must have dedicated time to lead their schools, as well as manage them. Therefore, with effect from September 2005, governing bodies have needed to ensure that head

teachers have dedicated headship time, having regard to resources in the school and to further national guidance that is being developed.

Context

111. Issues remain where head teachers with significant teaching loads (for example those who teach for more than 50% of the school timetable) have inadequate time during school sessions for their leadership and managerial role. The momentum behind the remodelling of the school workforce and a number of other specific provisions that have been introduced have helped here. These include:
- (a) the work-life balance provisions;
 - (b) the introduction of leadership and management time and reference to the leadership function in paragraph 58 of the Document, which will effectively limit how much teaching a head can be expected to do;
 - (c) the limits on cover; and
 - (d) guaranteed PPA time, commensurate with their teaching load.