

# ***Teachers' working time***

## **Introduction**

---

In 2003, ATL signed *Raising standards and tackling workload: a national agreement* with the DfES (now the Department for Children, Schools and Families), the GMB, NAHT, NASUWT, NEOST, PAT, SHA, TGWU, UNISON and WAG in order to improve the work-life balance of teachers, after many years of raising concerns over excessive teacher work-load. Whilst the national agreement has undoubtedly brought benefits to teachers it has not had the significant impact on reducing working hours originally envisaged, which could be achieved if fully implemented in all schools. Evidence from the annual survey of teachers' workloads conducted by the School Teachers' Review Body (STRB)<sup>1</sup> and the survey of members undertaken by ATL demonstrate that teachers still work in excess of 50 hours per week. ATL's survey of members' working hours showed that full-time teachers worked an average of 51 hours 30 minutes per week.

As part of the remit to the STRB for 2008 and subsequent years, the Secretary of State has requested that consultees consider approaches to managing the working time of teachers. To guide ATL's evidence to the STRB a survey of members was undertaken and a strategic task group formed to discuss the issues raised.

As detailed in the position statement, *New Professionalism*<sup>2</sup>, ATL fully supports the principles of the new professionalism agenda. ATL believes that, as professionals, teachers should be given the freedom to allocate their time to what they regard to be the most important aspects of teaching.

However, as employees teachers are subjected to demands on their time beyond their control. ATL believes the pressure on teachers' working time is largely due to accountability requirements, such as the recording of planning and assessment and excessive observation. As reflected in ATL's

1. School Teachers' Review Body, *Teachers' Workloads Diary Survey March 2007*, September 2007.

2. ATL, *New Professionalism*, 2005.

position statement *New Accountability for Schools*<sup>3</sup>, accountability must be balanced against professional autonomy.

Teachers need to be protected against excessive demands by means of contractual provisions on working time. These are detailed in the School Teachers' Pay and Conditions Document (STPCD). This position statement sets out ATL's views on changes to the STPCD, which are necessary to improve the ability of teachers to exercise some control over their working time, and to prevent excessive demands. ATL considered the broad issues, such as whether the leadership group should have working time limits, how continuing professional development (CPD) could be incorporated as an entitlement into teachers' roles and responsibilities and whether there should be an overall limit on teachers' working time.

## **Current conditions and changes required**

### ***Leadership group***

Members of the leadership group are not covered by the contractual limit on working hours.

ATL considered whether the setting of an annual limit of the number of hours worked by teachers would compromise the professionalism of school leaders. ATL feels that school leaders would not 'work to rule' but would use such a limit as a benchmark against which to gauge their own workload. Many other professionals, including local authority (LA) chief executives, have time-limited contracts, which include contractual holiday entitlements, and are seen as a benefit and an important recruitment tool. In the education world, college principals have a holiday entitlement of 35 days and many academies, despite some unacceptable pay and conditions practices, have at least specified a holiday entitlement for their school leaders. ATL does not believe that any contractual limit would damage the professionalism of school leaders.

The roles of school leaders contain some elements in kind with those of classroom teachers including directed time, i.e. they teach, receive planning, preparation and assessment (PPA) time and attend parents' evenings etc. School leaders fall under the same provisions of the Working Time Regulations as all employees; however, they are also required to fulfil many duties which would fall outside of the usual definition of directed time and which could not be planned for at the start of the year. As such, the same contractual limit would not be appropriate to school leaders, but ATL believes that a limit should be placed on the amount of time a school leader should be expected to work. ATL believes that headteachers should be able to prioritise their workload during any limit on contractual hours to concentrate on their core function of leading teaching and learning.

There are statutory duties which can only be carried out by the headteacher of a school. In some schools the headteacher must remain constantly 'on-call' to respond to issues at the school. ATL reasserts its position that every school should have a deputy headteacher who may legally be delegated the responsibilities of the headteacher. Only by sharing the burden of headship can we be sure that the workload of headteachers can be driven down.

ATL is concerned that casework has revealed two worrying trends. Firstly, some schools are

3. ATL, *New Accountability for Schools*, 2007.

attempting to circumvent the contractual hours limit placed on teachers, or the clearly defined duties which can be requested of teachers holding Teaching and Learning Responsibility (TLR) payments, by moving teachers on to the leadership group. In other schools the opposite is happening, with schools cutting back the size of the leadership group in order to save money. This places an even greater burden on those remaining in the leadership group. In response to this ATL believes that, as well as having a deputy headteacher, every school should audit the size of its leadership group to ensure that there are sufficient school leaders to effectively manage the school thus retaining each individual's work-life balance. The audit should consider the number and roles of those teachers paid on the leadership group, and those who hold TLR and Special Educational Needs allowances.

### ***Full-time classroom and excellent teachers***

Currently, the STPCD provides a contractual limit of 1,265 hours of directed time per annum for full-time classroom and excellent teachers in England and Wales. Headteachers can specify how this directed time is used. The 1,265 hours of directed time must be spread over a maximum of 195 days, 190 days of which are with pupil contact. ATL believes that the contractual limit should remain at 1,265 hours.

The 1,265 hour limit provides a vital benchmark for schools when allocating duties to teachers. ATL recognises that there is currently insufficient clarity as to what can reasonably be expected of teachers within directed time. Whilst some headteachers provide their teachers with a clear breakdown of how directed time should be used throughout the year others do not. ATL believes that if all headteachers were required to provide, at the start of each academic year, a breakdown of how directed time should be used for each individual teacher this would help drive down working time.

Teachers also receive a guaranteed minimum of 10% of their timetabled teaching time as PPA time. Teachers with additional responsibilities, regardless of whether they are paid for them, are entitled to leadership and management time. All headteachers should receive dedicated headship time to allow them to focus on strategic planning. In addition, under the national agreement, headteachers have a duty to ensure that all members of staff have a reasonable work-life balance.

### ***Part-time classroom and excellent teachers***

There is currently no standard method of calculating the salary or directed time of part-time classroom and excellent teachers. Part-time teachers are often required to work longer than their contracted hours to fulfil their teaching duties or to attend staff or planning meetings frequently arranged for the end of the day. ATL supports the position taken by the Rewards and Incentives Group in evidence to the STRB on clarifying the calculation of directed time for part-time teachers.

A requirement to breakdown the use of directed time will also assist part-time teachers in reducing their working hours and improving their work-life balance.

### ***Advanced skills teachers***

Advanced skills teachers (AST) are not covered by the contractual limit on working hours.

ASTs are classroom teachers who have a role to spread best practice within a group of schools. ASTs are still directed in their duties in the same way as classroom and excellent teachers and, as such, ATL believes that ASTs should be afforded the protection of the same contractual limit of 1,265 hours per 195 days of the school year.

### **Additional working time**

The STPCD also contains a requirement for teachers to undertake additional hours to fulfil their professional duties. This clause on additional working time allows teachers to manage the professional expectations of their own role and is therefore different from the specified requirement to work 1,265 hours.

### **A fixed-hours contract**

ATL has considered whether the adoption of a fixed-hour working week would be an improvement to the protection afforded by the annual limit. Following the *McCrone Report* in 2001 a 35-hour working week has been implemented in Scotland, along with limits on contact time. Statistics from Scotland show that all teachers have less than 22½ hours pupil contact time per week; however, indications are that this has not been successful in reducing the actual working hours of teachers, which remains at around 50 hours per week.

A survey of ATL members demonstrated that members did not favour a fixed weekly hours contract. The reason most commonly cited for this was that a teaching year contained periods of heightened activity and therefore a fixed-hours contract was not a realistic solution to controlling working hours. ATL members felt that a fixed-hours contract could lead to a situation where teachers would feel pressured into abandoning important aspects of their role as they had approached the limit of their working hours for the week. ATL believes that the concept of a fixed-hours contract would not fit into the vision of a teacher as envisaged under the *New Professionalism* agenda. ATL believes that the annual limit on directed time is more effective at meeting the needs of both teachers and pupils.

### **Pattern of the school day, week and year**

ATL is concerned that government initiatives on extended services, and the increasing number of academies and trust schools with the 'power to innovate,' may lead schools to move away from the traditional five-day teaching week. ATL believes that there is a need for a clear and regular break from school for both pupils and teachers. ATL's position is that no teacher should have directed time on more than five days in any one week. Except where there are agreed contractual variations, for example, attendance at sports fixtures, weekends should be free from directed time.

Whilst ATL would not wish to be prescriptive about the pattern of the school day or year we would recommend that research is undertaken into the different patterns currently in use and that there is vigilance to ensure that new models do not increase the working time of teachers; ATL will monitor changes to the pattern of the school day where schools introduce them into the traditional model. Comments raised during ATL's survey indicated that members were in favour of a standardised school year across the country, as it would alleviate the problems of teachers working, or with children, across different LA borders in England and Wales.

## **Non-pupil days**

Surveys undertaken by both ATL and the Workforce Agreement Monitoring Group have demonstrated that the perception amongst teachers is that the five non-pupil days are not effectively used. ATL concluded that the five non-pupil days should be retained but that clear guidance should be issued to schools on how this time should be used. Results from a survey of ATL members in 2008 suggested that the five non-pupil days could be effectively used for a mixture of curriculum planning within and across departments in the school and for individual CPD.

The provision of CPD is difficult in some schools as they do not have sufficient resources. ATL believes that the network of funded Union Learning Representatives (ULRs) across the country is an important but underutilised tool in the delivery of targeted and appropriate CPD in schools. ATL believes that schools should be encouraged to involve ULRs in the planning of whole school training days.

## **Individual CPD**

The revised performance management arrangements in England correctly place an emphasis on the individual teacher's CPD. ATL believes schools should strive to allow teachers to be released during directed time for CPD identified as part of a teacher's planning and review statement. ATL recognises that the needs of the school in relation to CPD would need to be prioritised when allocating funding to CPD but that personal professional development should be encouraged wherever possible.

ATL believes that every teacher should be given an entitlement to CPD and that this should be included in the roles and responsibilities element of the STPCD.

## **Full-time equivalent classroom assistant**

The increase in the number of non-teacher professionals within schools is recognised by ATL as an important step forward in the raising of standards. ATL believes that a full-time equivalent classroom assistant for every teacher fully funded by the Government would be a valuable asset. In a survey of ATL members, over 70% thought that a full-time equivalent classroom assistant would make a significant contribution to more effective teaching and reducing workload.

To have maximum impact the classroom assistant would need to be appropriately trained both in dealing with pupils and in the subject area being taught. ATL members felt that currently classroom assistants were often redeployed for other tasks at short notice leaving the teacher unassisted. Where this happens regularly the teacher cannot plan on involving the classroom assistant and so this valuable resource is often underutilised when available.

## **Conclusion**

In conclusion, the following statements reflect ATL's position on teachers' working time:

- Retain the 1,265 hours per 195 day limit for classroom and excellent teachers.
- There should be a contractual limit on the hours/days of the school leadership group.
- There should be a requirement for headteachers to publish a directed time budget for every teacher.
- The duties to be undertaken during directed time should be clarified.

- Maintain a five-day teaching week.
- There should be a contractual limit of 1,265 hours per 195 days of the school year for ASTs.
- The size of all leadership groups should be appropriate to carry out the functions of the particular school.
- The provision for up to five non-pupil days should be retained and there should be clarification on how they should be used.
- The involvement of ULRs should be encouraged in the provision of whole school CPD and CPD should be targeted and appropriate to the needs of the school and each individual.
- Every teacher should be allowed time for individual CPD during directed time to meet the CPD requirements agreed as part of performance management.
- There should be an entitlement to CPD in the STPCD.
- The ideals of the *Raising Standards and Tackling Workload* national agreement should be maintained.
- There should be a government funded full-time equivalent classroom assistant, appropriately trained, for every teacher.

If you would like further information or to comment on this briefing paper please do so by contacting ATL on [policybriefings@atl.org.uk](mailto:policybriefings@atl.org.uk)

© Association of teachers and Lecturers 2008. All rights reserved. Information in this book may be reproduced or quoted with proper acknowledgement to the Association.