

WORKLOAD AGREEMENT

This agreement by the Management and Teachers' Sides of the Teachers' Salaries and Conditions of Service Committee recognises the importance of the role of the professional Teacher in ensuring that the educational needs of young people are met as fully as possible. Both sides agree that the needs of the learner should be at the centre of the education process and that Teachers should be free of all unnecessary workload demands in order to focus on their pupils. It is therefore important for Boards of Governors to ensure that the workload of all Principals, Vice Principals and Teachers is managed fairly and consistently to ensure that all teaching professionals can discharge their roles and responsibilities effectively for the benefit of the teaching and learning of pupils.

1. INTRODUCTION

1.1 The central purpose of this agreement is to enable Principals, Vice Principals and Teachers to achieve the following objectives:

- a.** to maintain and enhance the quality of teaching and learning;
- b.** to preserve, in so far as this is possible, the flexibility of the contractual framework and the professional autonomy of staff;
- c.** to ensure that members of staff are able to observe their contractual requirements, pursue their careers and undertake their day to day duties without unfair and unreasonable requirements being placed on them in relation to those duties and with sufficient time to enjoy a reasonable work/life balance;
- d.** to protect and enhance the professional relationships within a school;
- e.** to ensure that Boards of Governors as employers are aware of and in a position to meet their legal obligations with respect to employment matters and to operate within the spirit of the legislation governing Working Time and Health and Safety.

1.2 Principles and Key Entitlements

1.2.1 Parties to this agreement accept and acknowledge that teaching staff have the right to:

- i.** reasonable workloads;
- ii.** a fair distribution of work within the school and to raise concerns where this is not the case;
- iii.** carry out their duties within socially acceptable working hours;
- iv.** regular daily, weekly and annual breaks from work;
- v.** enjoy other rights as specified in contractual terms and conditions and in other agreements without pressure to rescind or restrict these rights other than on a temporary basis and where there has been consultation and agreement.

1.2.2 Arising from the principles above and fundamental to this agreement, are **four** entitlements applying to all Teachers:

- i.** That workloads will continue to be managed in an open, fair and equitable way at departmental/school level and that Teachers are able to challenge unfair and/or unreasonable distribution of workload.
- ii.** That workloads will be such that contractual duties will normally be completed within contractual hours. Actual work patterns may vary to meet the needs of the school, the department and, if appropriate, the individual but will not involve regular directed working during unsocial hours except with consultation and agreement and with a minimum of 5 working days' notice.
- iii.** Teachers are required to have a break of a minimum of 30 minutes between 12 noon and 2pm and are entitled to leave their place of work during this time.
- iv.** Where a Teacher and his or her line manager fail to reach agreement on any of the above, in the first instance the Teacher should raise the matter informally and may refer the matter to the Board of Governors using the appropriate grievance procedure.

1.2.3 The Jordanstown Agreement, Working Time and Health and Safety Regulations

While good working relations cannot be achieved simply by the adherence to rules and regulations, it is important to take cognisance of a number of important pieces of legislation and formal agreements which specify what may and may not be required of staff.

1.2.4 The Teachers' (Terms and Conditions of Employment) Regulations (NI) 1987 (no. 267) as amended by The Teachers' (Terms and Conditions of Employment) (Amendment) Regulations (NI) 1988 (hereafter referred to as the "Jordanstown Agreement") sets out the requirements for teachers in terms of annual hours etc. Up to date guidance on the interpretation of the agreement has been developed by Management and Teachers' Sides working together.

The Working Time Regulations (Northern Ireland) 2016 cover five main areas:

- i.** Minimum daily and weekly rest periods;
- ii.** Rest breaks;
- iii.** Paid annual holiday;
- iv.** Limits on the average number of hours which can be worked in one week;
- v.** Restrictions on hours worked at night.

1.2.5 The parties to this agreement accept that the Working Time Regulations provide minimum standards of employment and that good employers may improve on these minimum standards. They also agree that, in circumstances where the precise monitoring of working time is difficult, the spirit of the Regulations will nevertheless apply.

1.2.6 The Health and Safety at Work (NI) Order 1976:

Employers have a general duty under Section 2 of the Health and Safety at Work (NI) Order 1976 to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees at work. It is in the spirit of this agreement to ensure that Health and Safety requirements are met.

1.2.7 The health and well-being of Teachers is a prime concern for all involved in the education process. It is recognised by this agreement that purposeful work to promote Teachers' health and welfare must be sustained to the greatest effect possible.

2. MANAGING WORKLOAD

2.1 Excessive workload within a school can result from various causes, for example:

- i. external and/or internal pressures which require the school and its employees to discharge their roles, responsibilities and duties differently in order to meet particular demands including the method by which new initiatives are introduced;
- ii. unfair or unreasonable distribution of work within the school or department.

2.2 Each school should establish a workable and transparent mechanism for distributing work fairly. The agreed distribution of work between staff should be made available to all Teachers in the school.

The parties to this agreement recognise that a variety of matters may impact on the workload of Principals, Vice Principals and Teachers. A range of guidance has been prepared by the Management and Teachers' Sides of the Teachers' Salaries and Conditions of Service Committee, aimed at assisting school communities in developing sound policies and practices.

3. DEFINITIONS

The following definitions have been agreed and are used throughout this Agreement.

3.1 Directed Time

Directed Time means time spent on any activity which the Principal has determined that Teacher shall undertake. A Teacher shall be available to perform such duties at such times and such places as may reasonably be specified by the Principal. All the time that a Teacher has to be on school premises is included in Directed Time.

Time spent off school premises in preparing and marking lessons is not included in a Teacher's Directed Time.

3.2 Teaching Time

Teaching occurs when a qualified Teacher delivers a lesson to pupils who are engaged in activities which contribute to their active learning. Only Teachers can carry out specified work¹.

It is acknowledged that the weekly limits of 23.5 hours in a post primary school and 25 hours in a primary or special school will include any time a Teacher is involved in class cover.

3.3 Cover

The term ‘cover’ refers to any occasion where the Teacher normally responsible for teaching the class is absent and a teaching colleague is required to teach the class.

Cover therefore is included within the teaching limit of 25 hours in any week in a primary school or special school and 23.5 hours in any week in a secondary school, as specified under the 1987 Regulations.

3.4 Supervision – Teaching Staff

Supervision occurs when a Teacher is asked to engage in activities outside of the classroom where there is no active teaching taking place. Supervision may include tasks such as morning and afternoon breaks, wet break times, arrangements for the arrival and departure of pupils, bus supervision, school assembly, examinations etc.

Where a Teacher is not required to supervise at morning or afternoon break, or where this is done on a rota basis, this period must still be defined as Directed Time.

It is recognised that classroom supervision is not an effective use of a Teacher’s time. However, in exceptional circumstances, a Teacher may be required to supervise, as distinct from teach, the class of an absent colleague.

Unless employed under a separate contract as a mid-day supervisor, a Teacher shall not be required to undertake mid-day supervision.

3.5 Attendance at School Assembly

Attendance at School Assembly is non teaching Directed Time.

Leading an assembly is considered to be teaching time in the time budget.

3.6 Registration

Registration is Directed Time. If a Teacher is required to deliver learning or pastoral work, this period of time is considered to be teaching time in the time budget.

3.7 Contingency Time

Contingency time is the time left following the allocation of Directed Time commitment. It is recommended that each Teacher’s time budget includes an element

¹ Ibid, Schedule 3 Paragraph 3 (1)(a), (b) & (c) sets out specified work as

- planning and preparing lessons for pupils to follow
- delivering lessons to pupils
- assessing progress and attainment
- reporting on progress and attainment.

of contingency time to ensure there is flexibility to accommodate situations that may arise and are unaccounted for within the time budget.

4 TIME BUDGETING

4.1 Introduction

This guidance is based on provisions set out in the Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987, as amended by the Teachers' (Terms and Conditions of Employment (Amendments) Regulations (Northern Ireland) 1988; and The Working Time Regulations (Northern Ireland) 2016.

4.2 This guidance has been developed to provide a framework for Principals and Boards of Governors to ensure the allocation and distribution of duties to all Principals, Vice Principals and Teachers is managed in a fair and reasonable manner that enables staff to observe their contractual requirements with sufficient time to enjoy a reasonable work/life balance.

4.3 The Principal is responsible for determining a time budget to each member of the teaching staff, giving due regard to the individual responsibilities of each Teacher. The Principal should seek to agree with each Teacher the range of activities/duties which that Teacher will undertake and the amount of time which that Teacher will spend on each of these. The time budget should be distributed prior to the commencement of the teaching year.

4.4 The Legal Position

4.4.1 The 1987 Regulations, Schedule 3, paragraph 4 on working time states the following terms and conditions for Teachers:

- a.** A full-time Teacher, other than a Teacher employed in a residential establishment, shall be available for work on 195 days in any year, of which not more than 190 days should involve teaching children in a classroom situation.
- b.** A Teacher, other than a Teacher employed in a residential establishment, shall be available to perform such duties at such times and such places as may reasonably be specified by the Principal, or where he is employed by an Employing Authority on terms under which he is not assigned to any one school by the Employing Authority or the Principal of any school in which he may be for the time being be required to work as a Teacher, for 1265 hours in any year exclusive of time spent off school premises in preparing and marking lessons and time spent travelling to and from the place of work.
- c.** A Teacher may not be required to teach as distinct from supervise children in a classroom situation for more than 25 hours in any week in a primary or special school and 23.5 hours in any week in a secondary school.
- d.** Unless employed under a separate contract as a mid-day supervisor, a Teacher shall not be required to undertake mid-day supervision.

- e. Subject to paragraph (f) all Teachers shall be required to have a break of at least 30 minutes between the hours of 12 noon and 2.00pm.
- f. Teachers in nursery schools and in nursery units in primary schools shall be required to have a break of at least 30 minutes between the hours of 12 noon and 2.30pm.
- g. For the purposes of this paragraph a ‘year’ means a period of 12 months commencing on 31st July and a ‘week’ means a period of 7 days commencing on a Sunday.

4.4.2 Under Schedule 1 of the Regulations the Principal, as part of her/his professional duties is responsible for, *“deploying and managing all teaching and non-teaching staff of the school and allocating particular duties to them (including such duties of the Principal as may properly be delegated to the Vice Principal or other members of the staff), in a manner consistent with their terms and conditions of employment, maintaining a reasonable balance for each employee”*.

5 DIRECTED TIME

5.1 The 1265 hours per year which a Teacher is required to be available to work is generally referred to as ‘directed time’ and is split up into a number of elements, as follows:

a. Teaching Time

It is acknowledged that the weekly limits of 23.5 hours in a secondary school and 25 hours in a primary or special school will include any time a Teacher is involved in class cover, (Section 6.3).

b. Supervision – Teaching Staff

Supervision occurs when a Teacher is asked to engage in activities outside of the classroom where there is no active teaching taking place. Supervision may include tasks such as morning and afternoon breaks, wet break times, arrangements for the arrival and departure of pupils, bus supervision, school assembly, examinations etc. Where a Teacher is not required to supervise at morning or afternoon break, or where this is done on a rota basis, this period must still be defined as directed time.

It is recognised that classroom supervision is not an effective use of a Teacher’s time however, in exceptional circumstances, a Teacher may be required to supervise, as distinct from teach, the class of an absent colleague.

c. Non-Teaching Days

Full time Teachers are required to be available for work on 195 days per year, of which at least 5 are non-teaching days. These five days must also be accounted for within the 1265 hours.

d. Teaching Allowance and Special Educational Needs Allowance Duties

Some Teachers will be in receipt of Teaching Allowances or Special Educational Needs Allowances for specific duties. These duties must also be allowed for within the time budget of 1265 hours, taking cognisance of the guidance on cover arrangements (Section 6).

e. Other Professional Duties

There is a range of other professional activities that go on regularly within schools. If a Teacher is expected to carry out any duty that is deemed reasonable and in balance with the duties allocated to colleagues, then it must also be accounted for in the time budget. Due attention must be paid to ensure that there is work/life balance, in line with the Strategy for Teacher Health and Wellbeing in Northern Ireland (TNC 2011/1), particularly where a Teacher volunteers to take on additional duties on an unremunerated basis.

f. Meetings

An annual schedule of meetings will be provided in advance of the academic year. Meetings for all staff, including those with teaching allowances will be accommodated within Directed Time budgets.

- 5.2** A Teacher's directed time of 1,265 hours per year is the basic legal requirement for a Teacher to satisfy his/her contractual obligations. A Teacher cannot be directed to undertake duties beyond 1,265 hours on 195 days. However, schools have always been dependent on a commitment from Teachers beyond the legal minimum requirement and this guidance does not change this. Schools would, for example, find it impossible to include within a Teacher's 1,265 hours all of the time currently given by Teachers to such activities as games, drama, music and school trips. Nevertheless, the extent of this commitment is for each Teacher to determine for himself or herself. Teachers should be given reasonable notice before being directed to undertake evening duties.

If a Teacher agrees to carry out these duties on a voluntary basis they will not count as directed time, however, if the duties are directed by the Principal then the hours fall under directed time.

- 5.3** Principals cannot direct Teachers to take pupils on educational visits involving overnight stays. Where this takes place on a voluntary basis it is a matter of negotiation between the Teacher and the Principal as to the amount of directed time which will be allocated to this activity out of the annual time budget. This should include an appropriate allocation of time for the organisation of such visits.

- 5.4** The 5 non-teaching days of a Teacher's 195 working days shall be "reasonably contiguous" with days which involve teaching pupils.

5.5 Contingency Time

- 5.5.1** It is recommended that each Teacher's time budget includes an element of contingency time to ensure there is flexibility to accommodate situations that may arise and are unaccounted for within the time budget.

5.6 Planning, Preparation and Assessment Time

The intended purpose of planning, preparation and assessment (PPA) time is to enable Teachers to raise standards through individual or collaborative professional activity and improve Teachers' work/life balance. PPA time has the potential to impact positively on the twin aims of raising standards and tackling Teacher workload.

The practice of Teachers carrying out their planning, preparation and assessment outside of their normal teaching hours, and in isolation from each other, is not considered satisfactory by the Teachers' Negotiating Committee.

In 2020 the Teachers' Negotiating Committee agreed that 10% of Teachers' Directed Time budget will be allowed for Planning, Preparation and Assessment (PPA).

- 5.7** This guidance has been developed to provide a framework to ensure the allocation and distribution of duties is managed in a fair and reasonable manner that enables Teachers to observe their contractual requirements with sufficient time to enjoy a reasonable work/life balance.

5.8 Disputes

- 5.8.1** It is hoped that this guidance will avoid disputes in relation to Teachers' time budgets. Any Teacher who has a concern or fails to reach agreement on their time budget should raise the matter, in the first instance with the Principal. If necessary the Teacher should seek support from their recognised trade union to resolve the situation. It is hoped that such issues will be resolved without recourse to formal procedures. In circumstances, however where a Teacher is not satisfied with the outcome the appropriate grievance procedure may be used.

- 5.8.2** If the issue is impacting on a number of Teachers in the school then the Teachers and/or the Trade Union Representative (or representatives) may raise the issue with the Principal on a joint basis. Where this does not resolve the issue the Teachers may utilise the appropriate grievance procedure.

6 GUIDANCE AND ADVICE ON THE ALLOCATION AND OPERATION OF COVER ARRANGEMENTS

6.1 Introduction

This guidance is based on provisions set out in the Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987, as amended by the Teachers' (Terms and Conditions of Employment) (Amendment) Regulations (Northern Ireland) 1988.

This guidance has been developed to provide a framework for Principals to ensure the provision of cover for absent Teachers is shared on a fair and equitable basis. All schools are required to develop a cover policy for the arrangements for cover during periods of Teacher absence. A model policy has been drawn up to assist schools (see Section 7). Any significant variation to or review of the model policy will take place following consultation with the recognised trade unions. The policy should be known and available to all staff, detail the normal arrangements whereby classes will be covered and how this will be achieved. The policy should cover arrangements for planned and unplanned absence.

It is recommended that the implementation of cover arrangements is monitored by the Principal, on a regular basis, in consultation with the recognised trade unions' representatives in the school, to ensure that a fair and equitable distribution of cover duties amongst teaching staff is achieved. The ICT management systems in schools may assist with this process.

6.2 The Legal Position

6.2.1 *Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987 (as amended).*

(9) Supervising and teaching any pupils whose teacher is not available provided that:

- (a) in schools with an average daily enrolment of 222 pupils or less, in primary 1 and primary 2 classes in schools with an average daily enrolment greater than 222 pupils, and in nursery classes in primary schools a teacher other than a supply teacher shall not be required to provide such cover;*
- (b) in schools with an average daily enrolment greater than 222 pupils a teacher other than a supply teacher shall not be required to provide such cover after the second day on which a teacher, other than a teacher of a primary 1 or primary 2 class or of a nursery class in a primary school, is absent or otherwise not available, or from the first day if the fact that the teacher would be absent or otherwise not available for a period exceeding 2 days was known to and agreed by the employing authority in advance;*

6.2.2 In addition, the professional duties of a Principal include:

“ensuring that the duty of providing cover for absent teachers, as set out in paragraph 3 (9) of Schedule 3 is shared equitably among all teachers in the school, taking account of their teaching and other duties”² and “participating, to such extent as may be appropriate having regard to his other duties, in the teaching of the pupils at the school, including the provision of cover for absent teachers”³.

6.3 Terminology

6.3.1 The term ‘cover’ refers to any occasion where the Teacher normally responsible for teaching the class is absent and a teaching colleague is required to teach the class. Cover therefore is included within the teaching limit of 25 hours in any week in a primary school or special school and 23.5 hours in any week in a secondary school, as specified under the 1987 Regulations.⁴

The term absence refers to a situation where the Teacher normally responsible for teaching a particular class is absent from the classroom during the times they have been timetabled to teach. The absence could be for a variety of reasons, including internal and external activities as well as sickness and could be long or short term.

Short Term Absence is defined as follows:

² Ibid Schedule 1 Paragraph 4 (3)(b).

³ Ibid Schedule 1 Paragraph 4 (23).

⁴ Ibid, Schedule 3 Paragraph 4 (c).

- absences known in advance e.g. professional development/medical appointment (if this cannot be arranged outside of the working day);
- 1 or 2 days unplanned absence e.g. staff sickness.

It is expected in these circumstances that cover will be undertaken by a qualified Teacher.

6.3.2 Allocation of Work

It is recommended that the following guidance is adhered to.

Where an absence is planned, it is expected that the Teacher will provide details of the work to be undertaken by pupils during cover lessons. In the case of unplanned absence the Teacher's planning notes will provide an indication of the work being undertaken by pupils in line with the School Cover Policy. If this is not possible, such information will be provided by the appropriate coordinator or Principal.

6.3.3 Limits of Cover Allocation

It is agreed by the parties that cover arrangements are a necessary part of school life. Schools will not oblige Teachers to exceed the maximum teaching hours (23.5 in secondary schools, 25 hours in primary and special schools) in any week, taking into consideration any time allocated for management responsibilities of Teachers and for planning, preparation or assessments. Schools should be cognisant of the significant workload required of Newly Qualified Teachers (NQTs) as part of their Early Professional Development (EPD). Therefore it is recommended NQTs, employed on long term or permanent contracts, should only be required to undertake cover in exceptional circumstances and this should be reflected in the School Cover Policy.

6.3.4 Cover Strategies

In dealing with short term absences Principals will make decisions regarding the cover of absent colleagues based on:

- the extent to which continuity of learning can be maintained;
- the length of time the pupils would be working without a qualified Teacher;
- the particular needs of the class concerned;
- the skills and experience of the Teacher concerned.

Such arrangements will include:

- Reasonable compositing of classes providing this is for a short period and does not exceed Departmental guidance on class size including DE 2013/07;
- Employment of a Teacher from the Northern Ireland Supply Teacher Register (NISTR);

- Utilisation of Classroom Assistants or other non teaching staff, in a supervisory capacity, in emergency situations or exceptional circumstances only, where the absence is unexpected and for a short period of time;
- Use of Teaching staff from within the school to cover classes.

In the event of a period of long term absence, the school's normal approach will be as follows:

- Short term arrangements for days 1 and 2;
- Use of floating Teacher – where available;
- Employment of a Teacher from the Northern Ireland Supply Teacher Register (NISTR);
- Where appropriate a fixed term appointment will be made (particularly suitable for maternity).

6.3.5 Responsibility

Arranging cover is a key element of a school's whole approach to providing high quality education for all pupils in the absence of teaching staff.

Board of Governors: It is the Board of Governors' responsibility to ensure that appropriate arrangements for providing cover are in place.

The Principal: The Principal is responsible for providing and operating a school cover policy, in consultation with staff and their trade union representatives and ensuring that the distribution of cover is managed fairly and equitably.

6.3.6 Disputes

It is hoped that this guidance and written policy and procedures will avoid disputes in relation to Teacher cover. Any Teacher who has a concern in respect of cover arrangements should raise the matter, in the first instance with the line manager responsible for cover arrangements or with the Principal. If necessary the Teacher should seek support from their recognised trade union to resolve the situation. It is hoped that such issues will be resolved without recourse to formal procedures. In circumstances, however where a Teacher is not satisfied with the outcome the appropriate grievance may be used.

If the issue is impacting a number of Teachers in the school then the Teachers and/or the Trade Union Representative (or representatives) may raise the issue with the Principal on a joint basis. Where this does not resolve the issue the Teachers may utilise the appropriate grievance procedure.

7. MODEL SCHOOL COVER POLICY

7.1 Introduction

The school cover policy aims to provide a framework for the arrangements for cover during periods of Teacher absence and promotes a fair and equitable distribution of cover duties amongst teaching staff.

The policy reflects the provisions set out in the Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987, as amended by the Teachers' (Terms and Conditions of Employment) (Amendment) Regulations (Northern Ireland) 1988.

The policy relates to cover arrangements for planned and unplanned short term Teacher absence, within the requirements for a Teacher other than a supply Teacher to provide such cover as set out in the 1988 Amendment Regulations, Regulation 2, sub para (1) (a), (b) and (c).

The policy includes monitoring arrangements to ensure that fair and equitable distribution of cover duties amongst teaching staff is achieved and maintained.

7.2 Definition of Cover

The term 'cover' refers to any occasion where the Teacher normally responsible for teaching the class is absent and a teaching colleague is required to teach the class.

7.3 Allocation of Cover

A Teacher may not be required to teach in any week for more than:

- 25 hours per week in a primary or special school
- 23.5 hours per week in a post-primary school.

The Principal is responsible for ensuring the cover policy is implemented and managed in a fair and equitable manner amongst all teaching staff.

A designated officer (*insert as appropriate*) is responsible for the day to day operation of the cover policy.

A Teacher who is not timetabled to teach in any period during the school day is considered to be available to be called upon to provide cover duties, taking into consideration any time allocated for management responsibilities and for planning, preparation or assessments, not exceeding the maximum teaching hours in any week.

As far as possible Newly Qualified Teachers (NQTs) employed on long term or permanent contracts will only be required to undertake cover in exceptional circumstances.

If a Teacher has a concern about the level of cover allocated to them they should raise the matter, in the first instance with the line manager responsible for cover arrangements or with the Principal. The Teacher may seek support from their recognised trade union to resolve the situation.

It is hoped that the guidance and written policy and procedures will avoid disputes in relation to Teacher cover. Any Teacher who has a concern in respect of cover arrangements should raise the matter, in the first instance with the line manager responsible for cover arrangements or with the Principal. If necessary, the Teacher should seek support from their recognised trade union to resolve the situation. It is hoped that such issues will be resolved without recourse to formal procedures. In circumstances, however where a Teacher is not satisfied with the outcome the appropriate grievance may be used.

If the issue is impacting a number of Teachers in the school then the Teachers and/or the Trade Union Representative (or representatives) may raise the issue with the Principal on a joint basis. Where this does not resolve the issue the Teachers may utilise the appropriate grievance procedure.

A Teacher who is not timetabled to teach and is not available to provide cover on any particular day due to an unforeseen work commitment such as a meeting with a parent, should inform the Principal or designated officer (*insert as appropriate*) no later than the day before the commitment if possible.

In the event that no Teacher is available to provide cover, the Vice Principal and/or Principal (*insert as appropriate*) will provide cover where possible.

7.4 Procedure for Planned Absence Cover

A Teacher who is planning to be absent, (e.g. hospital appointments which cannot be made outside school hours, professional development courses, other approved discretionary leave) should inform the Principal, where possible at least 5 working days before the planned absence to enable cover arrangements to be put in place.

The absent Teacher is expected to provide details of the work to be undertaken by the pupils during the lessons to be covered.

Cover duties will normally be allocated and notified to each Teacher no later than the Friday preceding the week in which the cover is required (*insert detail of how this will be done e.g. staff memo, e-mail, notice board, etc.*). Where this is not possible the Teacher being asked to provide cover will be given as much advance notice as possible.

7.5 Procedure for Unplanned Absence Cover

A Teacher should inform the Principal of any unplanned absence as soon as possible in accordance with absence reporting procedures (*insert details of relevant procedures*).

Where possible, resources should be available which provide an indication of work to be undertaken by the pupils during the lessons to be covered. If this is not possible suitable work for the pupils will be identified and provided by the appropriate coordinator (*amend as appropriate*) or Principal. Principals should be mindful of the provisions of the Teacher Attendance Procedure TNC 2008-2 in the event of having to contact Teachers when absent.

The Principal or designated officer (*insert as appropriate*) will identify a suitable, available Teacher to provide cover, taking into consideration any time allocated for management responsibilities and planning, preparation or assessment, and the level of teaching already undertaken in any week, and advise the Teacher accordingly.

7.6 Monitoring and Reviewing the Policy

A system which is transparent and fair will be put in place to record and monitor the allocation of cover to ensure this does not exceed Teachers' contractual obligations.

The allocation of cover duties to each Teacher will be reviewed on a regular basis to ensure fair and equitable distribution of cover duties amongst Teachers is achieved and maintained. In the event that a Teacher is found to have undertaken more cover than the recommended, this will be offset against any future cover allocation to this Teacher to ensure the maximum teaching hours are not exceeded.

The Principal/SMT (*amend as appropriate*) will carry out an annual review of the cover policy in consultation with the recognised trade unions' representatives in the school and will update the policy when required.

7.7 Supervision

Supervision occurs when a Teacher is asked to engage in activities outside of the classroom where there is no active teaching taking place. Supervision may include tasks such as morning and afternoon breaks, wet break times, arrangements for the arrival and departure of pupils, bus supervision, school assembly, examinations etc.

Where a Teacher is not required to supervise at morning or afternoon break, or where this is done on a rota basis, this period must still be defined as directed time.

It is recognised that classroom supervision is not an effective use of a Teacher's time. However, in exceptional circumstances, a Teacher may be required to supervise, as distinct from teach, the class of an absent colleague.

Unless employed under a separate contract as a mid-day supervisor, a Teacher shall not be required to undertake mid-day supervision.

7.8 The Legal Position

Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987 (as amended).

(9) Supervising and teaching any pupils whose teacher is not available provided that:

(a) in schools with an average daily enrolment of 222 pupils or less, in primary 1 and primary 2 classes in schools with an average daily enrolment greater than 222 pupils, and in nursery classes in primary schools a teacher other than a supply teacher shall not be required to provide such cover;

(b) in schools with an average daily enrolment greater than 222 pupils a teacher other than a supply teacher shall not be required to provide such cover after the second day on which a teacher, other than a teacher of a primary 1 or primary 2 class or of a nursery class in a primary school, is absent or otherwise not available, or from the first day if the fact that the teacher would be absent or otherwise not available for a period exceeding 2 days was known to and agreed by the employing authority in advance;.

The above named Regulations set out the hours a Teacher may be required to teach as distinct from supervise pupils.⁵

In addition, the professional duties of a Principal include “ensuring that the duty of providing cover for absent teachers, as set out in paragraph 3 (9) of Schedule 3 is shared equitably among all teachers in the school, taking account of their teaching and other duties”⁶ and “participating, to such extent as may be appropriate having regard to his other duties, in the teaching of the pupils at the school, including the provision of cover for absent teachers”⁷.

8 REVIEW

This Workload Agreement will be reviewed by the Teachers’ Salaries and Conditions of Service Committee at the end of the first academic year of operation, and biennially thereafter.

⁵ The Teachers’ (Terms & Conditions of Employment) Regulations (Northern Ireland) 1987, Schedule 3, Paragraphs 4 (a), (b) & (c).

⁶ Ibid Schedule 1 Paragraph 4 (3)(b).

⁷ Ibid Schedule 1 Paragraph 4 (23).