



# TEACHERS' WORKING TIME AND DUTIES AN NUT GUIDE





# CONTENTS

<b>INTRODUCTION</b> .....	<b>4</b>
<b>SCHOOL TEACHERS' PAY AND CONDITIONS DOCUMENT (STPCD)</b> .....	<b>6</b>
<b>SECTION 1 – TEACHERS' WORKING TIME</b> .....	<b>8</b>
Examples of a Directed Time Budget .....	11
The STPCD and Part-Time Teachers .....	13
Discharging Professional Duties .....	15
The Teacher Decides .....	15
Work/Life Balance .....	17
Absence .....	17
Morning and Afternoon Breaks .....	17
Non-Contact Time/Planning, Preparation and Assessment Time .....	19
Leadership and Management Time .....	20
Headship Time .....	20
<b>SECTION 2 – PROFESSIONAL DUTIES</b> .....	<b>22</b>
Reasonable Direction .....	23
Professional Duties – Teaching .....	23
NUT Policy on Schemes of Work and Lesson Plans .....	24
Professional Duties – Whole School Organisation, Strategy and Development .....	26
Professional Duties – Cover .....	26
Gained Time .....	27
Professional Duties – Health, Safety and Discipline .....	28
Professional Duties – Management of Staff and Resources .....	28
Professional Duties – Professional Development .....	28
NUT Policy on Appraisal – Bureaucratic Burdens .....	29
NUT Policy on Meetings .....	30
Duties of Head Teachers as they Affect Teachers .....	35
Administrative and Clerical Tasks .....	36
<b>SECTION 3 – OTHER PROFESSIONAL ISSUES AFFECTING WORKLOAD</b> .....	<b>40</b>
Written Documents/Policies/Reports .....	41
Common Assessment Frameworks (CAFs) .....	41
OFSTED/Estyn .....	41
Monitoring Visits .....	42
Target Setting .....	43
National Curriculum and Assessment in England .....	44
National Curriculum and Assessment in Wales .....	53
The Foundation Phase in Wales .....	55
Excessive Class Size .....	56
Changes to School Session Times .....	57
E-mail Overload .....	58
Classroom Observation .....	59
<b>SECTION 4 – CONCLUSION</b> .....	<b>62</b>

# INTRODUCTION

The NUT has campaigned over the years to seek to establish effective limits to teachers' workload. There is no shortage of evidence about the extent of the problem. Until 2010 the DfE undertook an annual diary survey to obtain a picture of the average total hours worked by full-time teachers in a particular week in March.

The 2010 survey revealed that most categories of teachers reported that they were working more than 50 hours a week.

In June 2010 the NUT surveyed its members and its school representatives in order to gauge which changes to the way in which they work would have the greatest impact in terms of reducing their workload and improving their quality of life.

For both NUT members and school representatives in primary, secondary and special schools, the most popular measure identified was less burdensome planning and assessment requirements. This was followed in second place by a call for enforceable class size limits for all classes. The need for enforceable limits for classroom observation was another major concern.

In terms of improving teachers' quality of life, PPA time set at twenty per cent of teachers' timetabled teaching time, which is current NUT policy, was the measure identified which would make the most difference to teachers' quality of life.

Advice on all these areas is included in this document.

To help NUT members in their schools tackle their own workload reduction priorities, guidance is available in the 'Workload – Stronger Together' section of the NUT website at [www.teachers.org.uk/workload](http://www.teachers.org.uk/workload). This includes practical advice on how to take issues forward, time sheets to log hours worked, a checklist of workload targets, as well as guidance on tackling stress and on developing policies on work-life balance.

It was against this background of excessive workload and the NUT's campaign to reduce teachers' workload that changes to teachers' statutory conditions of service in England and Wales were introduced as part of the Workforce Agreement.

These included:

- no requirement routinely to undertake tasks of a clerical or administrative nature (introduced September 2003);
- an entitlement to at least 10 per cent of timetabled teaching time for planning, preparation and assessment (PPA) (introduced September 2005); and
- teachers to provide cover only rarely (introduced September 2009).

The NUT did not sign the Workforce Agreement, because of its emphasis on the use of non-teacher qualified staff to take whole classes, an emphasis which has seen a marked increase in the number of classes taken by non-qualified staff and a corresponding lack of opportunities for supply teachers. The NUT, however, remains determined to ensure that its members benefit from their contractual entitlements and to protect their professionalism.

In addition to these more recent provisions, teachers' working time has for many years been governed by the working time provisions of the School Teachers' Pay and Conditions Document (STPCD).

This guide<sup>1</sup> includes both a detailed summary of teachers' conditions of service, as set out in the STPCD, and NUT policy and advice.

---

<sup>1</sup> This guide supercedes all other NUT guidance and advice.

1. Advice and support on any of the issues raised in this guide is available from your NUT association/division or regional/Wales office.

## **ACTION SUPPORT**

2. The NUT will provide advice and assistance to school representatives and members seeking to have NUT policy implemented. In most cases, as a result of negotiations, agreement will be reached. Where negotiation fails to resolve the problem, and where there is sufficient support amongst members, a ballot of members for industrial action to seek to achieve a resolution can be considered.

## **THE SCHOOL TEACHERS' PAY AND CONDITIONS DOCUMENT (STPCD)**

3. Where the STPCD applies, there is a legal obligation upon school management to give NUT school representatives access to it. This is best effected by schools keeping up-to-date copies for reference purposes. The provisions are statutory and schools cannot choose to ignore them. Additional copies can be downloaded from [www.education.gov.uk/publications/eOrderingDownload/DFE-00072-2011.pdf](http://www.education.gov.uk/publications/eOrderingDownload/DFE-00072-2011.pdf).
4. The STPCD contains the statutory requirements for teachers' pay and conditions for maintained schools in England and Wales and local authorities and schools must abide by these. It applies to teachers employed by a local authority or by the governing body of a foundation or voluntary aided school. It may also apply to teachers in academies and independent schools, and will do so where teachers have transferred when a school has adopted academy status.

5. The STPCD also contains guidance on salaries and conditions of service issues. Local authorities and governing bodies are required to have regard to the guidance and a court or tribunal may take any failure to do so into account in any legal proceedings. In effect, this means that any school not following the guidance would need to have good reason not to do so and would need to be able to justify any departure from it.

# Workload – Stronger Together



## SECTION 1

# TEACHERS' WORKING TIME



# Section 1 – Teachers’ Working Time

6. The provisions described below apply to teachers **other than** head teachers, deputy head teachers, assistant head teachers and advanced skills teachers.

## How Many Days?

7. The STPCD states that a full-time teacher “must be available for work for 195 days in any school year, of which 190 days must be days on which the teacher may be required to teach pupils and perform other duties”. The 195 days must be specified by the employer or, if the employer so directs, by the head teacher.
8. The STPCD states that teachers must be *available* for work for 195 days in any school year (194 in 2011/2012 because of the Queen’s Diamond Jubilee Bank Holiday). It does not state that teachers must be *present* at school for 195 days. There is room for employers and for head teachers to exercise flexibility.
9. A head teacher cannot direct a teacher to undertake duties on any of the 170 calendar days, 171 in a leap year, not specified as working days by the employer.
10. The NUT believes that there should be no variation from the working days specified by the employer for schools generally or within individual schools without consultation with the teachers concerned. NUT members facing variations which do not meet with their ready agreement should consult the Union.
11. The STPCD states that a full-time teacher “must be available to perform such duties at such times and such places as may be specified by the head teacher...for 1265 (1258.5 in 2011/2012) hours in any school year, those hours to be allocated reasonably throughout those days in the school year on which the teacher is required to be available for work”. It is important to remember that the 1265 hours is an absolute maximum and that teachers do not have to be directed to work right up to that limit.

12. The STPCD also states that 'no teacher may be required to work on any Saturday, Sunday or public holiday unless their contract of employment expressly provides for this'.
13. Under the STPCD, the 195 specified days do not have to be identical for all teachers in the school. If they are different, however, individual arrangements must be made for the time to score against the 1265 hour and 195 day limits.
14. These limits must not be exceeded. Members who are called upon to undertake directed time which would exceed these limits should consult the Union as soon as the situation arises or, preferably, as soon as it seems likely. It is essential that schools keep accurate records of the demands upon their teachers, in terms of directed time. Indeed the STPCD sets out that the relevant body should 'consult with all staff and their union representatives on the teaching timetable and an annual calendar which includes staff meetings, parental consultations and other activities'. In advance of each academic year, teachers should be provided with a directed time calendar or diary, setting out their commitments in terms of teaching, PPA time, leadership and management time and meetings. NUT members should contact the Union if they believe that they are likely to exceed 1265 hours of directed time or pro-rata if part-time. Two examples of such a time budget are set out overleaf, one for a primary school, the other for a secondary school. A 'Work Your Proper Hours' timesheet which enables members to log their working hours is available at [www.teachers.org.uk/files/WORK-YOUR-PROPER-HOURS-0510.doc](http://www.teachers.org.uk/files/WORK-YOUR-PROPER-HOURS-0510.doc) It is further specified that the school calendar should set 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'.

## Example of a directed time budget for a full-time classroom teacher in the primary sector without additional responsibilities.

Please note this is simply an example. The way in which the time is allocated for different aspects of a teacher's working day will clearly vary between schools. What is important is that the issue is given careful consideration and that the total directed hours, including contingency time, do not exceed 1265 hours. Note that the teaching time figure is what remains after PPA time has been allocated. Prior to the introduction of PPA time, teachers in this school taught for 22.5 hours per week. Their allocation of PPA time is slightly over 10 per cent of this figure.

Use of Hours		Hours per Year
Registration/Assembly	1/2 hr x 190 days	95
Mid-Session Break	1/4 hr x 190 days	47 hrs 30 mins
Teaching Time	20 hrs per week (4 hrs x 190 days)	760
PPA Time	2 1/2 hrs per week	95
INSET days	5 hrs x 5 days	25
Supervisory duties	30 mins x 190 days	95
<i>(includes 10 minutes before the start of the morning session, 5 minutes at either end of the lunch break and 10 minutes at the end of the school day.)</i>		
Parents' meetings and Open evenings	3 hrs x 4 days	12
Staff meetings	1 hr x 38 days	38
Other duties of the Teacher	25 mins x 190 days	79 hrs 10 mins
<i>(e.g. individual pupil issues, e-mail correspondence)</i>		
		<b>TOTAL</b>
		<b>1,246 hrs 40 mins</b>
Contingencies		18 hrs 20 mins
<i>(a cushion of time available for unforeseen circumstances.)</i>		

Note that the head teacher in this school has not allocated 1265 hours of directed time to this teacher. A cushion of just over 18 hours has been reserved for emergencies and unplanned events. It is only if the teacher is directed to work during this cushion of time that the 1265 hour limit will be reached.

**Example of directed time budget for a full-time classroom teacher (with a form group) in the secondary sector without additional responsibilities.**

*Please note that this is simply an example. The way in which time is allocated for different aspects of a teacher’s working day will vary between schools. What is important is that the issue is given careful consideration and that the total directed hours, including contingency time, do not exceed 1265 hours.*

<b>Use of hours</b>	<b>Minutes</b>	<b>Hours per Year</b>
Registration	25 mins x 190 days	79.2 hours
Mid session breaks	5 x 20 mins x 38 weeks = 3800 mins	63.3 hours
Teaching time (includes PPA time)	25 lessons x 55 mins = 1375 mins x 38 weeks	870.8 hours
INSET days	5 hours x 5 days	25 hours
Duties • 10 mins start/end of day + 5 mins either end of lunch	30 mins x 190 days = 5700 mins	95 hours
Parents’ Meetings/ open evenings	3 hours x 5 days	15 hours
Staff Meetings	1 hour x 38 weeks	38 hours
Pupil support / individual pupil issues	1 x 55 mins x 38 weeks = 2090 mins	34.8 hours
	<b>TOTAL</b>	<b>1221.1 hours</b>
Contingency		43.9 hours *
	<b>OVERALL TOTAL</b>	<b>1265 hours</b>

\* can be adapted for teacher with TLRs and management and leadership time, for example.

## **Flexibility Within Limits – A Summary**

15. To summarise, under the terms of the STPCD, as indicated above, the contractual working time of teachers is subject to specific limits:
- the number of days on which full-time teachers shall be available for work in any school year is 195;
  - the number of days on which full-time teachers may be required to teach pupils is 190, i.e. 5 days as non-contact;
  - teachers cannot be **directed** to undertake duties on any of the 170 calendar days, 171 in a leap year, not specified as working days by the employer – this includes holidays and weekends; and
  - the number of hours within which full-time teachers can be directed to undertake teaching or other professional duties is subject to the absolute limit of 1265.

## **The STPCD and Part-time Teachers**

16. The STPCD provides for part-time teachers to be paid, on a pro-rata basis, the pay rate they would receive if employed full-time in the same post. The percentage of the full-time pay rate must be calculated on the basis of the 'school's timetabled teaching week' (STTW) – its total weekly teaching hours – and the proportion of those which the teacher is deemed to work.
17. The STPCD provides that full-time classroom teachers (ie all those except leadership group teachers and ASTs) are required to be available for work for a maximum of 1265 hours of directed time.

18. The percentage obtained in the pay calculation is also used to determine part-time teachers' directed time obligations. They will be required to be available for work for the same percentage of 1265 hours as the percentage of full-time pay.
19. This percentage of 1265 hours of directed time will cover both the total teaching time and the non-teaching duties undertaken by the part-time teacher.
20. For example, a part-time teacher who works 15 teaching hours in a STTW of 25 hours will be entitled to be paid 60% of the appropriate full-time pay rate. That part-time teacher would be expected to be available for work for a maximum of 759 hours of directed time (60% of 1265 hours). Of this, there would be a maximum of 570 hours of teaching time (15 hours for 38 weeks of term time) and a maximum of 189 hours (759 hours – 570 hours) for directed time for non-teaching duties.
21. These provisions on working time do not apply to part-time leadership group teachers and ASTs, as they are not covered by the STPCD working time provisions for classroom teachers. The STPCD advises only that the workload of part-time leadership group teachers and ASTs should be reasonable and that they should be treated fairly in comparison with their full-time equivalents.
22. NUT members who work part-time are strongly urged to consult the full briefing 'Part-Time Teachers: Pay and Working Time 2011-12', available in the school teachers' conditions section of the NUT website [www.teachers.org.uk/node/14613](http://www.teachers.org.uk/node/14613).
23. Head teachers have the power to direct teachers in the school on every one of the 195 specified days to undertake duties, "at such times and in such places as specified by the head teacher". This is the significance of the word "directed". Hours devoted to all such duties qualify as directed time and count towards the overall limit of 1265.

24. Thus teachers may accrue hours of directed time and reach the limit of 1265 hours within fewer than the 195 days when teachers must be “available” for work. In these circumstances, head teachers may conclude that an individual teacher or group of teachers need undertake no duties on one or more of the 195 days, in recognition of the professional duties undertaken at other times. This has particular relevance to the deployment of the five non-contact or INSET days, some of which can, subject to staff agreement, take place in ‘twilight sessions’ after school. For example, a session beginning at the end of a school day and continuing until 6pm could count as half a day’s INSET.
25. Time spent in these sessions will accrue and score against the 1265 hours. The teachers involved in these sessions cannot be required to attend on all of the five non-contact days if such a requirement would mean exceeding the 1265 hours limit.

## **Discharging Professional Duties**

26. The STPCD requires that a teacher undertakes to work, “such reasonable additional hours as may be necessary to enable the effective discharge of the teacher’s professional duties.” This includes, in particular, planning and preparing courses and lessons and assessing, monitoring, recording and reporting on the progress of assigned pupils. Although this may be time spent doing work under the general direction of the head teacher, it is not “directed time” within the 1265 hours. See also paragraphs 39 – 41 on PPA time.

## **The Teacher Decides**

27. The STPCD provides that the employer ‘must not determine’ the amount of time for professional duties beyond the 1265 hours of directed time, nor when these hours will be worked.

28. It is up to the teacher to decide the number of additional hours necessary and where and when such duties will be performed.
29. Neither the place where the work is undertaken nor the number of hours required to discharge the teacher's professional duties outside the 1265 hours of directed time can be determined by the head teacher, the governors, any relevant voluntary body or the local authority.
30. The duties undertaken in additional hours will be those that are necessary for the individual teacher and which can be undertaken by that teacher alone. They include marking and preparation, which relate solely to the teacher's own teaching, and will exclude activities which require the involvement either of staff or pupils. They will exclude duties that the teacher is required to undertake at a time determined by the head teacher, which would be part of directed time.
31. This element of the STPCD is not a licence for head teachers to require teachers to undertake additional work or activities outside directed time. Though evidently this is work done as part of the teacher's whole job, and is a consequence therefore of general direction by the head teacher, the time spent on professional duties cannot be subject to the head teacher's specific direction. All work undertaken in this period of non-directed time must be determined by, and be relevant to, the teaching commitments and duties of the individual teacher, and entirely at their discretion.



## **Work/Life Balance**

32. Head teachers are required to ensure that teachers experience a reasonable work/life balance. The head teacher has a duty to 'lead and manage the school's workforce with a proper regard for their well-being and legitimate expectations, including the expectation of a healthy balance between work and other commitments'. Head teachers and governing bodies also have a duty to have 'regard to the desirability of teachers at the school 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'. There is no requirement that all the available hours and days must be called upon. Indeed, in many cases of teachers with substantial marking and preparation responsibilities, head teachers should adjust their demands on directed time accordingly. Furthermore, the STPCD highlights the need for head teachers and governing bodies to ensure that they adhere to the limits set out in the Working Time Regulations in terms of a maximum 48-hour working week. See also section on Open Evenings, paragraph 92. The NUT has produced a model work/life balance policy which is available at [www.teachers.org.uk/node/11023](http://www.teachers.org.uk/node/11023).

## **Absence**

33. Teachers cannot be required to make up any directed time not worked as a result of absence through illness, or absence for any other reason.

## **Morning and Afternoon Breaks**

34. Morning and afternoon breaks count as directed time. A small proportion of the staff might be on duty on a rota basis but, in an emergency, staff would be expected to respond and clearly they are available for work at such a time.

## **Travel To/From Work**

35. Time spent travelling to or from the place of work is not included within the 1265 hours, except in the case of peripatetic teachers or those who work at a split-site school.

## **Mid-day Break**

36. The STPCD states that teachers cannot be required, under their contract of employment as a teacher, to undertake mid-day supervision and "must be allowed a break of reasonable length either between school sessions or between the hours of 12 noon and 2pm" Any teacher who volunteers to undertake mid-day supervision is entitled to a free school lunch. NUT policy, however, is that mid-day supervision should be undertaken by lunchtime supervisors. Deputy head teachers, assistant head teachers and teachers who have been appointed to 'Excellent Teacher' posts, are entitled to a break of reasonable length "as near the middle of each school day as is reasonably practicable".
37. The NUT's view of the "break of reasonable length" is that teachers should have an entitlement of at least one hour when they cannot be required to undertake duties, attend meetings or remain on school premises, and are free to leave the premises. The lunch break cannot be included in the 1265 hours of directed time.
38. NUT members are strongly advised not to attend meetings convened by management during their lunch break.

## **Non-Contact Time/Planning, Preparation and Assessment Time**

39. The STPCD specifies that all teachers with timetabled teaching commitments have a contractual entitlement to planning, preparation and assessment (PPA) time, set as a minimum of at least 10 per cent of a teacher's timetabled teaching time. This time counts towards the maximum 1265 hours of directed time. PPA time must be allocated in blocks of no less than 30 minutes and should take place during the time in which pupils are taught at the school and must not be bolted on before or after pupil sessions. PPA time must not be used for provision of cover or any other duties. Newly qualified teachers are entitled to a teaching timetable, equivalent to no more than 90 per cent of the time other teachers without management responsibilities spend in the classroom. Such teachers are also, of course, entitled to PPA time, equivalent to 10 per cent of their reduced teaching timetable.
40. The NUT's position on the use of support staff in relation to PPA time, along with general advice on the implementation of PPA time, is set out in the NUT guidance document 'Planning, Preparation and Assessment Time: Leadership and Management Time', available from the NUT website at [www.teachers.org.uk/node/4435](http://www.teachers.org.uk/node/4435).
41. It is important to note that teachers do not have a duty to set or mark work for support staff who cover their classes while they are taking their PPA time.

## **Leadership and Management Time**

42. There are major issues of workload affecting the Leadership Group. To already onerous burdens have been added: their direct responsibilities for preparing documentation for Ofsted and Estyn; any requirements in relation to the safeguarding agenda; monitoring the application of school policies; and taking on excessive additional workload as a result of having to respond to funding shortfalls for PPA time.
43. Every teacher with leadership and management responsibilities is entitled to Leadership and Management Time. This includes members of the leadership group and those outside the leadership group with some form of leadership and management responsibility, including subject leaders and co-ordinators, heads of department, SEN co-ordinators and advanced skills teachers. Unlike PPA time, there is no minimum entitlement but the NUT would expect schools to provide adequate amounts of time, commensurate with levels of responsibility. For such teachers with a teaching timetable, Leadership and Management Time must be allocated in addition to PPA time.
44. Further information on Leadership and Management Time is contained in the NUT guidance document 'Planning, Preparation and Assessment Time: Leadership and Management Time', available from the NUT website at [www.teachers.org.uk/node/4435](http://www.teachers.org.uk/node/4435).

## **Headship Time**

45. Head teachers must have dedicated time to lead their schools as well as manage them. Since September 2005, governing bodies have been expected to ensure that head teachers have 'dedicated headship time'.
46. The amount of 'headship time' is not specified in the STPCD but reference is made to the need to take account of how much teaching the head teacher is doing.

# Workload – Stronger Together



## SECTION 2

# PROFESSIONAL DUTIES

## Section 2 – Professional Duties

47. **This section lists teachers’ professional duties as set out in the STPCD. It also includes details of NUT policy which relates to those duties. Italics are used to indicate the professional duties of teachers as they are worded in the STPCD.**
48. **The letters DT are placed against the duties identified below which may only be required within the specified 1265 hours of directed time. The unmarked duties may be undertaken either within the specified 1265 hours (including PPA time) or during the ‘reasonable additional hours’ that teachers may be required to work in order to discharge their professional duties.**

### Reasonable Direction

49. The STPCD sets out the professional duties of teachers. Until September 2010 the STPCD specified that these duties were to be carried out under the ‘reasonable direction’ of the head teacher. The text of the STPCD no longer includes the reference to ‘reasonable direction’. The DfE has, however, confirmed that no contractual change has taken place so any direction must still be reasonable.

### Professional Duties – Teaching

50. *DT Plan and teach lessons and sequences of lessons to the classes they are assigned to teach within the context of the school’s plans, curriculum and schemes of work.*

*Assess, monitor, record and report on the learning needs, progress and achievements of assigned pupils.*

*DT Participate in arrangements for preparing pupils for external examinations.*

Note that the guaranteed minimum of at least 10 per cent of each teacher's timetabled teaching time for planning, preparation and assessment is included in directed time. See paragraphs 106-108 for information about exam invigilation.

## **NUT Policy on Schemes of Work and Lesson Plans**

51. Planning is the professional responsibility of all individual teachers, who plan by taking into account the particular needs of their class or groups. Detailed guidance on planning for NUT members is available at [www.teachers.org.uk/node/5696](http://www.teachers.org.uk/node/5696).
52. Plans should be 'fit for purpose'. They should be useful to individual teachers.
53. Plans should be kept to a minimum length. They can be set out in the form of bullet points or notes, and may include how learning objectives will be achieved. This is a matter of professional judgement. The Government agrees. The 2010 Schools White Paper stated: 'Neither the Government nor Ofsted require lesson plans, let alone in a particular format'.
54. Plans do not have to be long or complex.
55. Plans are working documents and do not need to be beautifully presented or copied out for others. Separate weekly and daily lesson plans are not necessary. Annotations or post-it notes can be used to convert medium-term plans into lesson plans.
56. With the exception of some children with specific needs, lesson plans for individual pupils are not necessary. Differentiation or personalised learning approaches for individual or groups of pupils does not require individualised planning. This can be highlighted on teachers' main planning documents.



57. Medium-term planning should involve all staff in a key stage, or phase, working together to ensure coherence and curriculum continuity. Individual teachers should not be expected to produce such plans independently.
58. It is not reasonable to expect teachers to write new plans for every group or cohort of pupils. Plans can be stored, shared and revised and, often, only minor amendment is necessary.
59. Teachers should use their professional judgement on whether to use non-mandatory schemes of work.
60. The WAG does not issue guidance on planning but examples of lesson plans can be found on the NGfL Cymru (National Grid for Learning Cymru) website at [www.ngfl.cymru.org.uk](http://www.ngfl.cymru.org.uk).

## **NUT Policy on Writing Reports**

61. NUT members should not be expected to write more than one report on each pupil in each academic year. Reports include written documents and proformas with tick boxes. Unless the reports are computer-generated, the targets for the maximum number of words should be:
  - whole reports: 400 words
  - individual subjects: 40 words
62. Members are reminded that they should not be routinely required to collate and photocopy reports as this constitutes an administrative task and teachers cannot be routinely required to undertake tasks of a clerical or administrative nature which do not require them to use their professional judgement. Likewise the NUT would also argue that the production of grade sheets, usually on a termly basis, is an administrative task if it simply involves the transfer of grades from one data source to a grade sheet.

## **Professional Duties – Whole School Organisation, Strategy and Development**

63. The professional duties of teachers include:

*DT contributing to the development, implementation and evaluation of the school's policies, practices and procedures in such a way as to support the school's values and vision;*

*DT working with others on curriculum and/or pupil development to secure co-ordinated outcomes;*

*DT supervising and so far as practicable teaching any pupils where the person timetabled to take the class is not available to do so. (But see paragraph 64 below.)*

## **Professional Duties – Cover**

64. *DT Teachers should only be required to provide cover rarely, in circumstances which are not foreseeable. (This does not apply to teachers who are employed wholly or mainly for the purpose of providing such cover.)*

Detailed NUT advice on the operation of the 'rarely cover' provision is available in the document 'Teacher Cover: Guidance for Divisions, Associations and NUT Representatives'. This is available from the School Teachers' Conditions Section of the NUT website at [www.teachers.org.uk/cover](http://www.teachers.org.uk/cover). There is also a model cover policy for schools available at [www.teachers.org.uk/node/10032](http://www.teachers.org.uk/node/10032).

## Gained Time

65. 'Gained time' is the time during the academic year, particularly in the summer term, when teachers who take examination classes or groups are released from some of their timetabled teaching commitments as a result of pupils being on study or examination leave. Teachers may be directed to use gained time to cover for a colleague. This should, however, only happen 'rarely', in accordance with the 2009 changes.
66. Work undertaken during gained time will, however, not necessarily come within the definition of cover as 'supervising and so far as practicable teaching any pupils whose teacher is not available to teach them'. There is a list of duties within the guidance section of the STPCD which sets out the duties which it will be reasonable for a teacher to be directed to undertake if classes are absent:
- 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;
  - assisting colleagues in appropriate, planned team teaching activities;
  - taking groups of pupils to provide additional learning support;
  - supporting selected pupils with coursework;
  - undertaking planned activities with pupils transferring between year groups or from primary schools; and
  - where the school has a policy to release staff for CPD during school sessions, gained time may be used for such activities.

## **Professional Duties – Health, Safety and Discipline**

67. The professional duties of teachers include:

*DT promoting the safety and well-being of pupils;*

*DT maintaining good order and discipline among pupils.*

## **Professional Duties – Management of Staff and Resources**

68. The professional duties of teachers include:

*DT directing and supervising support staff assigned to them and where appropriate other teachers;*

*DT contributing to the recruitment, selection, appointment and professional development of other teachers and support staff;*

*DT deploying resources delegated to them.*

## **Professional Duties – Professional Development**

69. The professional duties of teachers include:

*DT participating in arrangements for their own further training and professional development and, where appropriate, that of other teachers and support staff including induction;*

*DT participating in arrangements for the appraisal and review of their own performance and, where appropriate, that of other teachers and support staff.*

## **NUT Policy on Appraisal – Bureaucratic Burdens**

70. The following key principles should be followed:

- The number of reviews undertaken by team leaders should be reasonable. The NUT recommends a maximum of four, but all reasonable attempts to allocate a smaller number should be made;
- No more than three objectives should be set for each reviewee;
- Teachers should be consulted on their objectives. No member should agree to objectives that would lead to unreasonable burdens or be unachievable;
- Rigid performance targets linked to pupil results should not be used;
- Other than in exceptional circumstances, one Appraisal/ Performance Management observation per year per teacher is sufficient;
- Classroom observations should not last more than 60 minutes;

See paragraphs 189-193 for more information on classroom observation.

## **Communication**

71. The professional duties of teachers include:

*DT communicating with pupils, parents and carers.*

## **Working with Colleagues and other relevant Professionals**

72. The professional duties of teachers include:

*DT collaborating and working with colleagues and other relevant professionals within and beyond the school.*

## **NUT Policy on Meetings**

73. Teachers' professional duties in relation to working with other professionals, communicating with pupils, parents and carers, professional development and management of staff and resources will require attendance at meetings. Set out below is NUT policy and advice on meetings of all types. The Government issued advice back in 1998 addressing the issue of meetings in the context of management convened meetings other than those arranged for the purpose of communicating with and consulting parents:

*"Well-run meetings are essential to the internal management of and communications of a school. Schools need to have flexibility to determine the pattern and number of meetings. These are matters for sensible professional judgment. But schools do need to establish a pattern of meetings that is fully justified".*

## **Making Meetings Effective**

74. The Union believes that it is the responsibility of those who call and direct meetings to organise the meetings with proper attention to sound time management.
75. Meetings must be "well-run", having a clear focus. Only those staff whose presence is essential should attend. Agendas must be prepared and circulated in advance. There should be clear options for decisions.
76. Only recommendations or action points should be recorded, rather than full minutes. Teachers cannot be required to take verbatim notes nor to produce formal minutes of meetings. See paragraph 102.
77. The prioritisation of issues should enable all essential business – including items of urgency – to be covered adequately within a limited time.

78. Meetings should not be called simply to conform to a pre-arranged calendar. Each meeting should have a purpose and should terminate when that purpose has been achieved.

## **Limiting the Number of Meetings**

79. **Adherence to these principles facilitates the achievement of NUT policy in respect of meetings. The NUT believes that meetings should last no more than 60 minutes, being held on no more than an average of one evening per week during a term, with a maximum of two evenings in any one week.**
80. Evening meetings may be conducted in a single session or subdivided sessions for teachers in pre-defined groups but in the NUT's view the total duration should not exceed 60 minutes on that evening.
81. Where the pattern of meetings includes two meetings in a particular week, the NUT's view is that there must be one week without meetings to ensure that the average of no more than one meeting a week is maintained. Parents' consultation evenings should be included in the averaging. See section below on Parents' evenings, paragraphs 89-91.

## **Agreeing the Pattern**

82. It is the head teacher's duty to ensure that the overall workload of each teacher, made up of directed time and 'reasonable additional working hours' is reasonable. Meetings are the main consumer of directed time outside the pupil day. It follows that effective management of time allocated to meetings is central to the head teacher's obligation and will be of significant benefit to teachers. The use of calendars to record directed time will assist in this respect.

83. Head teachers must consult their teaching staff on the pattern and number of meetings. The pattern and number of meetings should be agreed, within the limits explained above.
84. Attendance at meetings should be required only of staff who are involved in, or affected by, the business at hand. If evening meetings involve movement between groups or venues, the time for movement must be included within the 60 minute maximum. The NUT advises that any 'trapped time' between the end of the school day and the start of a meeting should be included in directed time.
85. Attendance at meetings can be required only in the context of the STPCD. Meetings and parents' consultations must be within the 1265 hours annual maximum directed time within the 195 days when the teacher is required to be available for work. Teachers cannot be required to attend meetings during their lunch break.

## **Pre-School Briefings**

86. Pre-school briefings, prior to the pupil day, have become a feature of the organisation of some schools. Some teachers may consider them unproductive and not supportive of their preparation for teaching. Other teachers consider them helpful in ensuring good internal communication with limited disruption.
87. Where a school group decides that it does not wish to take part in pre-school briefings which it believes to be unnecessary, the NUT will support that collective view.
88. The pre-school briefings must, in any case, be included in any pattern of meetings and directed hours.



## Parents' Evenings

89. Evenings for parental consultation have a different structure and purpose from other evening meetings. They cannot be limited to a maximum of 60 minutes. They should be few in number during the school year. They must be included in any agreed pattern of meetings.
90. If, in any week, there is a parents' evening, then in that week there should be no more than one further evening call on teachers, whether for parental consultations or otherwise.
91. Parents' consultation evenings should be taken into account when calculating whether there will be more than one evening meeting per week averaged out over a term.

## Open Evenings

92. Open evenings have a different purpose from parents' evenings. The NUT believes that not all staff of a school should be directed to attend open evenings but, for those who are directed to attend, the time should be included within directed time totals. Schools may have to open later the following day to allow a sufficient break for staff in accordance with the 1998 Working Time Regulations, which confer the right to a minimum rest period of 11 consecutive hours in a 24 hour period.

## Attendance at Meetings/INSET: Part-time Teachers

93. For INSET days and other non-pupil days held on days when a part-time teacher does not normally work, the STPCD specifies that the teacher **cannot be required to attend**. The teacher may agree to attend but equally has the right to refuse to agree to attend. Where the teacher does agree to attend, the time should not be included in directed time and the teacher should be paid using the provision for payment for additional working time.

94. In respect of INSET days for professional development purposes, the NUT advises that part-time teachers should be permitted to attend all such days, including those which take place on days when they do not normally teach. Failure to allow part-time employees access to the same training opportunities as full-time employees may constitute unlawful discrimination, unless it can be justified.

### **Staff/departmental meetings and parents/open evenings**

95. The same principles should apply to such meetings as to INSET days and other non-pupil days.
96. Where such meetings take place on a part-time teacher's normal working day and it is agreed that the teacher should attend all such meetings, the time should form part of directed time up to the pro-rata level related to the pay percentage. Beyond this, consideration should be given to the use of the provision for payment for additional working time.
97. Where such meetings take place on days when the teacher does not normally work, the teacher cannot be required to attend. Where the teacher does agree to attend, the time should not be included in directed time and the teacher should be paid using the provision for payment for additional working time.
98. Although the STPCD permits teachers to be directed to attend meetings at the end of a day on which they normally work but have, for example, only taught the morning session, the NUT advises that any such direction must still be 'reasonable' according to the circumstances.
99. NUT policy on the maximum duration of meetings and the weekly limits on meeting time applies equally to part-time teachers as to full-time teachers.

100. Detailed guidance on part-time teachers' pay and working time arrangements is available from [www.teachers.org.uk/node/12821](http://www.teachers.org.uk/node/12821).

## **Duties of Head Teachers as they Affect Teachers**

101. The STPCD sets out the professional duties of head teachers, many of which directly affect the duties of teachers.

- Head teachers have a duty to maintain relationships with organisations representing teachers and other persons on the staff of the school.
- Head teachers have a duty to promote the participation of staff in relevant continuous professional development.
- Head teachers have a duty to ensure that the duty of providing cover for absent teachers, which should happen 'only rarely' in exceptional circumstances, is shared equitably among all teachers in the school, including the head teacher, taking account of their teaching and other duties and of the desirability of not using a teacher at the school until all other reasonable means of providing cover have been exhausted.
- Head teachers have a duty to lead and manage the school's workforce with a proper regard for their well-being and legitimate expectations, including the expectations of a healthy balance between work and other commitments.

## TASKS NOT INCLUDED IN THE PROFESSIONAL DUTIES OF TEACHERS

### Administrative and Clerical Tasks

102. Such tasks are not part of the professional duties of a teacher. The STPCD specifies that teachers are not required routinely 'to undertake tasks of a clerical or administrative nature which do not call for the exercise of a teacher's professional skills and judgment'. A list of such tasks is set out in the STPCD and reproduced below. This list is indicative only. Teachers cannot be routinely required to undertake **any** clerical tasks not just those on the list of examples set out below. A requirement to undertake a task may be routine even if it is undertaken only annually.

- Collecting money from pupils and parents.
- Investigating a pupil's absence.
- Bulk photocopying.
- Typing or making word-processed versions of manuscript material and producing revisions of such versions.
- Word-processing, copying and distributing bulk communications to parents and pupils.
- Producing class lists on the basis of information provided by teachers.
- Keeping and filing records, including records based on data supplied by teachers.
- Preparing, setting up and taking down classroom displays in accordance with decisions taken by teachers.
- Producing analyses of attendance figures.

- Producing analyses of examination results.
- Collating pupil reports.
- Administration of work experience but not selecting placements and supporting pupils by advice or visits.
- Administration of public and internal examinations.
- Administration of cover for absent teachers.
- Setting up and maintaining ICT equipment and software.
- Ordering supplies and equipment.
- Cataloguing, preparing, issuing and maintaining materials and equipment and stocktaking the same.
- Taking verbatim notes or producing formal minutes of meetings.
- Co-ordinating and submitting bids, for funding, school status and the like, using contributions by teachers and others.
- Transferring manual data about pupils not covered by the above into computerised school management systems.
- Managing the data in school management systems.

103. NUT advice is that teachers should exercise their professional judgment in deciding whether a particular task requires their input. For example, it is up to individual teachers to decide whether putting up and maintaining displays is a task which involves their professional skills and judgement, or whether it is an administrative task that should be transferred to support staff. The time saved by the transfer of administrative and clerical tasks should not be replaced by additional teaching time.

104. In respect of any tasks of a clerical or administrative nature, the NUT advises members to limit workload by applying the 'key questions approach':
- (a) Does the task 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 and judgement?
105. If the answers to (a) and (b) are 'yes', and the answer to (c) is 'no', then the task should be transferred from teachers.

### **Invigilation of External Examinations**

106. Teachers cannot routinely be required to invigilate external examinations, such as National Curriculum tests (in England), GCSE and AS/A2 examinations. This applies additionally to 'mock' examinations and other tests requiring alterations to the normal school timetable.
107. The main exceptions to the above approach are:
- internal examinations and tests where these take place during normal timetabled teaching time; and
  - practical/oral examinations in teachers' own subject areas.
108. Section 4 STPCD guidance sets out the principles underpinning this approach, namely that 'invigilating examinations is not a productive use of teachers' time'.

## **Role of the Teacher During Examinations**

109. The DfE argues in the STPCD Section 4 guidance that it is reasonable to expect that teachers should be present at the beginning of external examinations in their subject areas to check papers and to ensure that there are no problems arising from them. Those invigilating examinations should be made aware of the procedures for dealing with emergencies and for contacting teachers in the subject areas under examination, should candidates raise concerns or problems with papers which require their professional judgement. It may also be appropriate for teachers to be present at the end of external examinations to ensure their efficient conclusion.
110. None of these tasks constitute invigilation. They do, however require the professional expertise of teachers. When carrying out such tasks, the DfE guidance states that teachers should not be expected to stay in the examination hall/room for any longer than is necessary to perform the task.

# Workload – Stronger Together

## SECTION 3

# OTHER PROFESSIONAL ISSUES AFFECTING WORKLOAD





## **Section 3 – Other Professional Issues Affecting Workload**

111. Set out below is NUT advice on a variety of other professional issues which impact upon teachers' workload.

### **Written Documents/Policies/Reports**

112. Documents should be kept to the minimum length necessary. Professional judgement should be applied in determining the length of the document. A reasonable amount of time should elapse between requests for contributions to school documents.
113. The NUT believes that members should not be expected to write or rewrite policies, unless they are provided with model policies.
114. The NUT believes also that members should not be expected to write more than one report on each pupil in each academic year. See also paragraphs 61 and 62 above on Assessments and Reports.

### **Common Assessment Frameworks (CAFs)**

115. Class teachers in primary schools are often expected to complete CAFs and to be present at multi-agency meetings. The NUT does not believe that completing a CAF form should be part of the role of the class teacher. Where meetings are attended, the teacher should be given time beforehand to prepare.

### **OFSTED/Estyn**

116. Schools should not opt for, or be subjected to, pre-OFSTED/Estyn practice inspections.
117. Where these inspections take place, no preparation additional to teachers' normal workload should be undertaken.
118. NUT members should not produce policy statements or substantial documentation specifically for inspection.

119. The OFSTED School Inspection Framework 2012 says that inspectors should make use *“as far as possible, of the existing data, documentation and systems of the schools inspected and [avoid] placing unnecessary burdens on them”*.

Likewise Estyn guidance states that inspection will:

*“keep to a minimum any requirements for documentation and preparation by the school.”*

(Estyn Guidance on the Inspection of Primary Schools 2010)

120. OFSTED and Estyn inspectors must not do anything which would encourage teachers to prepare or plan material especially for the inspection. The NUT will pursue cases where OFSTED or Estyn inspectors or local authority advisors place unnecessary demands on members.

121. School self-evaluation procedures, where they have been subject to thorough consultation with teaching staff for the purposes of school development, can be valuable. Schools' own self-evaluation procedures, including their provision for OFSTED/Estyn inspections, should not, however, lead to additional workload for teachers.

122. NUT members should not be expected to be involved in excessive data inputting into self-evaluation processes for OFSTED and Estyn inspections.

## **Monitoring Visits**

123. In England, schools under special measures, or with notice to improve, do not face standard OFSTED inspections, but their progress is checked by HMI during regular “monitoring visits”. They will also be subject to local authority monitoring. In addition, schools which were graded ‘satisfactory’ by Ofsted in two subsequent inspections, and/or those whose standards are judged to be static or in decline, will also receive monitoring visits.

124. These activities create additional workload for teachers such as more meetings, increased classroom observation and greater lesson plan scrutiny. Where members have concerns about their workload, the NUT school representative should convene a meeting and then report these concerns to the head teacher, following the advice given in this document. If the issue cannot be resolved, NUT school representatives should refer to NUT regional offices/NUT Cymru for advice where they believe they are facing excessive demands in these circumstances.
125. Currently in Wales, schools with notice to improve are expected to work with the local authority to address the matters giving concern. About 12 months after the publication of the report, Estyn will undertake an inspection visit to the school and decide whether to remove it from the list of schools with notice to improve, that it shows the capacity to improve or to consider placing the school in special measures. NUT school representatives in such schools should refer to the NUT Cymru office for advice where they believe they are facing excessive demands in these circumstances.

## **Target Setting**

126. Excessive target setting, including setting and reviewing targets in schools, is a problem for many members. As part of assessments of pupils' learning, members will necessarily set objectives. Where learning objectives are imposed they can cause excessive workload and stress for individual teachers. It is essential that such objectives are kept to the minimum and are arrived at upon the basis of consensus with the teachers concerned. There are a number of routes teachers can take if objectives are imposed or excessive, including triggering the grievance procedure. You can get further advice if you need it from your association/division. This should be distinguished from the setting of targets for whole school purposes. The setting of

targets, including benchmarking for such purposes, should not take place more frequently than once a year, unless teachers to whose classes the targets apply seek to change those targets.

## **School Governors**

127. NUT members should not undertake administrative work for school governing bodies. Unless they are teacher governors and wish to contribute voluntarily, NUT members are advised not to contribute to the writing of the school prospectus/governors' annual report.

## **Bidding for Grants**

128. Members are advised not to become involved in monitoring the application of external grants, nor in writing bids, unless such activities are included within their job description.

## **Professional Development Portfolios**

129. Members need to maintain a brief record of the professional development they have undertaken, but a complicated portfolio is not necessary.

## **National Curriculum and Assessment in England**

130. Tasks such as the transfer of test results to Optical Mark Recognition (OMR) forms and the completion of application forms required to request additional time for completion of the end of Key Stage tests in England would fall within the administration tasks that teachers cannot routinely be required to undertake. Teachers should also not be required to undertake administrative work in relation to test papers for pupils, for example, emboldening text or diagrams.

## **Teacher Assessment**

131. In determining a National Curriculum teacher assessment level, teachers should need to refer only to a minimum level of evidence. Where members believe that teacher assessment arrangements cause bureaucratic burdens, they should contact their NUT regional office, or in Wales, NUT Cymru.

## **Key Stage 1 Tests in England**

132. The arrangements for assessment at the end of Key Stage 1 require the National Curriculum tests and tasks to be used to inform teacher assessment. Only teacher assessment levels are reported nationally.
133. Decisions on the allocation of subject levels for the purposes of teacher assessment should rest with the professional judgement of each teacher. Teacher assessments are based on teachers' overall knowledge of each child's progress. In determining a National Curriculum teacher assessment level, NUT members should need to refer only to a minimum of evidence.
134. Decisions on when National Curriculum tests and tasks should be taken should involve teachers' professional judgement in consultation with their head teachers. The best interests of children in each class should inform those decisions. It is the school's decision on when tests and tasks should be taken, not that of the local authority. It is important that head teachers reach agreement with Year 2 teachers about when the tests and tasks should be taken. The head teacher will need to take the wider interests of the school into account. The teacher will have the closest knowledge of the needs of their class.
135. Moderation arrangements should not increase the demands on teachers, compared with existing auditing arrangements.

136. No NUT member should be expected to attend an additional meeting at the end of the school day for the purposes of moderation. Such meetings should be arranged during the school day with supply cover provided.
137. NUT members should not be expected to produce additional material for the moderation process.

## **Year One Phonics Screening Check**

138. A new, statutory, screening check for all pupils in Year 1 will be rolled out in June 2012.
139. The Government claims that the Year 1 Phonics Screening Check is designed to: confirm whether individual pupils have grasped the basics of phonic decoding by the end of Year 1; and identify those pupils who need extra help, so that the school can provide support.
140. The NUT has argued that there is no evidence that learning phonics first and fast has a positive impact on children's long-term reading ability or enjoyment of reading. Phonics alone will not produce fluent readers. In order to become fluent and accurate readers, children must learn to use all of the cueing systems together. (This is the way in which teachers effectively teach children to read).
141. It will be administered by Year 1 teachers or the literacy co-ordinator.
142. The NUT recommends that schools should use supply teacher cover for Year 1 classes during the period in which the Check and any related administration is undertaken by the class teacher. It would be extremely difficult to administer the Check and supervise the class at the same time.

143. **The NUT advises members to continue with their usual planning and teaching in Year 1. Any pressure applied to teachers to prepare pupils for the Check or ‘teach to the test’ should be resisted and reported to the division/association and the NUT regional office/NUT Cymru.**

## **Assessing Pupil Progress (APP)**

144. APP was an initiative designed by QCDA (now the Standards and Testing Agency (STA)) and the National Strategies to support teachers’ assessment and the tracking of pupils’ progress in England. Its use by schools is voluntary, not statutory.
145. There is no single approach or ‘right way’ to use APP. It should be for teachers to use their professional judgement to determine how useful the programme, or elements of it, would be. Where APP is used, it should be reflected in schools’ assessment policies. This should include a review of current formal assessment procedures within Key Stages and the identification of tests or other activities which could be replaced by APP.
146. Time should be made available during the school day for in-school APP standardisation and moderation meetings to take place. Teachers cannot be required to use their Planning, Preparation and Assessment (PPA) time for any activities related to APP.
147. As a result of concerns raised by members about the introduction of APP, the NUT secured agreement with the QCDA (now STA) that a briefing note on ensuring APP was manageable in schools would be produced. The briefing note, as well as further guidance for members on APP, is available on the NUT website at [www.teachers.org.uk/node/10202](http://www.teachers.org.uk/node/10202).

## **Key Stage 2 Tests in England**

148. External markers conduct all marking of the end of Key Stage 2 tests. Teachers are not required to be involved in this process. In addition, there is no statutory requirement on local authorities to audit Key Stage 2 tests. Teachers are not required to undertake any voluntary audit activities that a local authority might seek to introduce. Teachers cannot be required to invigilate the Key Stage 2 tests. See paragraphs 106-108 on 'Invigilation of External Examinations'.

## **Key Stage 2 Writing Test**

149. Externally marked tests will continue to take place for Mathematics and for English reading. National sample tests will continue to take place for Science. A small number of schools will also be selected to take part in a sample writing test in 2012.

150. Key Changes:

- The English writing test will be replaced by a new writing skills test in 2013. Interim teacher assessment arrangements have been put in place for the writing test for 2012; and
- Year 6 test scores will be included in the 2012 primary school performance tables.

151. Pupils' National Curriculum levels for writing will be determined by a teacher-assessed judgement of their work across Year 6. Teachers' judgements will be informed by, and take account of, (but not be limited by) the pupil's result on a standard test that will be sent to schools earlier in the spring term.

152. The test can be administered by schools when they choose and then marked internally. Alternatively, schools may prefer to use the externally marked test in the Key Stage 2 test week (as in previous years).



153. In either case, the test result should only inform a teacher assessment judgement, not determine it. It is solely the teacher assessment in writing (and not the test result) that will be published and will contribute towards an overall English National Curriculum level and that will be used for accountability purposes.
154. Further information about the Key Stage 2 Writing test can be found at [www.teachers.org.uk/node/14278#attachments](http://www.teachers.org.uk/node/14278#attachments).

### **Key Stage 3 Tests in England**

155. Key Stage 3 tests are no longer a statutory requirement. It is a school level decision whether or not to use the optional tests produced for the end of Key Stage 3. Local authorities should not require schools to conduct the tests. Key Stage 3 tests should be treated in the same manner as optional tests in England.

### **Early Years Foundation Stage**

156. The extension of free nursery education to two, three and four year olds has in some cases been introduced at the expense of early years' teachers working time protection. More advice and guidance is available in the early years section of [www.teachers.org.uk/earlyyears](http://www.teachers.org.uk/earlyyears).

### **Early Years Foundation Stage (EYFS) Profile Assessment**

157. How the EYFS Profile is used is a matter for teachers' professional judgement. The Profile booklet or e-profile is not a statutory document. Provided that assessment is recorded against the scales and reported to parents and the local authority, schools will have met their statutory requirements. NUT members are not required to use any or all of the Profile booklet or e-profile.

158. Teachers are required to seek contributions to the Profile from parents on any relevant aspects of their child's development. This should be integrated with settings' existing practice: there is no requirement for additional meetings to be held. The NUT's guidance to members in relation to meetings set out in this document, applies to meetings in connection with the Profile.

## **Moderation**

159. Moderation of the Profile is a statutory requirement and local authorities are responsible for the moderation process.
160. Moderation of the Profile is not about auditing marking, but about helping teachers identify what they should observe when the assessment criteria are being fulfilled. There is no need for teachers to collect moderation evidence for each child, as it is teachers' final assessment of the child that is moderated, not their individual judgements.

## **Reporting Arrangements**

161. Completed Profiles must be shared with parents, in any format the school or setting chooses. Profiles can be used as the required written report at the end of the reception year but each school or setting is free to decide whether to share the actual scores with parents.
162. **NUT members are advised not to complete more than one written report per pupil a year. See paragraph 61 of this document. The Profile should form part of that report. Further guidance for members on the Profile is available at [www.teachers.org.uk/node/13827](http://www.teachers.org.uk/node/13827).**

## Optional Tests in England

163. Optional tests at the end of Year 3, 4, 5, 7, 8 or 9 are already in place in many schools in England. As the description suggests, they are optional. Head teachers have the option of deciding whether or not to use the tests. Papers are sent to schools by the Standards and Testing Agency (STA) in March following a request by the school which must be made by 30 November of the previous year. There are no external marking arrangements for the optional tests, such as those in place for the statutory end of Key Stage 2 tests.
164. If optional tests or Key Stage 3 tests are used then school funding allocations can be used to pay external markers or to pay for supply teachers to cover teachers marking the tests. Members are advised to ask their NUT school representative to request what external support, either of supply cover or as external marker support, is available for the marking of the optional or Key Stage 3 tests.
165. The NUT believes that decisions on the use of optional and Key Stage 3 tests should be a matter for consultation between head teachers, teaching staff and, in particular, Year 3, 4, 5, 7, 8 and 9 teachers. Members may find the factors set out below a useful checklist in considering whether the optional and Key Stage 3 tests bring additional bureaucratic burdens. The factors are:
- whether staff consider that the tests will bring educational benefits;
  - whether implementation is consistent with existing school policies and practice on assessment;
  - whether it would be appropriate to release sufficient school personnel to undertake responsibilities for test administration and marking;

- whether sufficient accommodation can be found within the school to implement the tests alongside other demands on space, including other internal and external testing and examination arrangements;
- whether any benefit which might be accrued from implementing the tests would be sufficient to warrant the loss of teaching time; and
- whether existing responsibilities allocated to teachers can be replaced by identified time for implementing and marking the tests.

166. Where the above criteria are not met, the NUT will support members who do not wish to carry out the optional and Key Stage 3 tests.

167. Where optional and Key Stage 3 tests take place, NUT members should not be expected to mark the tests unless sufficient time has been allocated within their school's timetabled teaching day, to enable marking to take place without members receiving additional workload. NUT members should also not be expected to use the optional and Key Stage 3 tests in addition to similar tests devised within the school.

## **“Booster”, Revision and Other Additional Programmes**

168. Decisions on the use of 'catch-up' programmes should arise from consultation with teaching staff on the specific learning needs of relevant pupils. Decisions on whether the 'catch-up' programmes are appropriate for pupils who speak English as an additional language, for example, should involve appropriate staff, such as Language Support teachers. See Section 1 on 'Teachers' Working Time'

169. NUT members should not be required to teach 'catch-up' programmes at lunchtimes, during morning sessions before the start of the school day, during twilight sessions or during school hours where this represents an increase in their number of contact hours.
170. In addition, schools in England have been encouraged by the Government to establish Easter schools for pupils, particularly for "borderline" pupils. The NUT points out that participation by teachers is entirely voluntary.

### **National Curriculum Assessment in Wales**

171. Statutory end of key stage tests, at Key Stages 1, 2 and 3, were discontinued in Wales on a rolling programme starting in 2001 and fully implemented after summer 2006. For each Key Stage, statutory teacher assessment is the sole means of reporting learners' end of key stage attainment. Various arrangements have been put in place by WAG to support and strengthen teacher assessment. These arrangements attracted some initial funding for moderation.
172. Key Stage 1 has been fully replaced by the Foundation Phase. It was introduced for children aged 3 in September 2008 and now includes all children aged 3 to 7. Teacher Assessment in the Foundation Phase is carried out through the Foundation Phase curriculum (outcomes) not National Curriculum levels. There are seven areas of learning in the foundation phase but only 3 areas are assessed, language/literature/communications – mathematical development – and personal and social education.

## **Key Stage 2 – Assessment requirements**

173. For English, Welsh first language, Welsh second language, mathematics and science, there must be arrangements for:
- school-based standardisation and moderation;
  - Key Stage 2/3 cluster group moderation; and
  - end of key stage teacher assessment.

## **Key Stage 3 – Assessment requirements**

174. For English, Welsh first language, Welsh second language, mathematics and science, there must be arrangements for:
- school-based standardisation and moderation;
  - Key Stage 2/3 cluster group moderation; and
  - end of key stage teacher assessment.
175. In addition, all subject departments (core and non-core) are required to provide sample evidence of teachers' understanding of the national curriculum level descriptions for external moderation and feedback reports to schools.
176. All secondary schools have been visited by external verifiers to review schools' Key Stage 3 assessment procedures and systems as part of central support and accreditation of teacher assessment. Each national curriculum subject in Key Stage 3 has submitted evidence to have its assessments verified and "signed off". Portfolios of evidence are now being retained to exemplify and underpin the levelling process.

## **The Foundation Phase in Wales**

177. The Foundation Phase in Wales encompasses pupils from age 3 to age 7. It is based on a less formal approach to learning through practical play and first-hand experiences.
178. Baseline Assessment for four and five year olds has now been introduced. It must take place in Reception at the start of the autumn term and is expected to be conducted over a two week period. Most of the Baseline Assessment activities (oracy, reading and writing, number, mathematical language, size, shape and space) are undertaken on a one-to-one basis by the teacher, although personal and social development is assessed via observation of groups of children. Teachers' Baseline Assessments must be submitted to the local authority by the end of October. The data is subsequently sent back to schools and benchmarked to LA results. In order to meet the statutory requirements of Baseline Assessment, including the submission of results, which are subject to strict deadlines, teachers should be provided with sufficient additional support and time during the school day. Members may be concerned that Baseline Assessment is generating excessive workload. Support is available from associations/divisions.
179. Teachers' first statutory end-of-phase assessments against the Foundation Phase outcomes will be undertaken in summer 2012. The assessments will be in three of the seven Areas of Learning: Creative Development; Physical Development; Knowledge and Understanding of the World; Welsh Language Development; Mathematical Development; Language, Literacy and Communication Skills; and Personal and Social Development, Well-Being and Cultural Diversity.

180. To support End-of-Phase Teacher Assessments, the Welsh Assembly Government will produce a series of Welsh-medium and English-medium Exemplification of Standards materials (DVDs and handbooks) that will provide teachers and practitioners with examples across the seven Areas of Learning of 'solid' performances within Outcomes 2, 3, 4 and 5. These materials are intended to support the consistent use, across Wales, of the Foundation Phase Outcomes. The materials and the associated training will be available well in advance of the first Foundation Phase statutory assessments, which will take place at the end of the 2011/12 school year.

## **Class Sizes**

181. The NUT's policy objectives and aspirations with regard to class sizes, which it regards as educationally desirable, are set out in the NUT's Minimum Staffing Establishment policy. This is available in the Conditions of Service Section of the Union's website at [www.teachers.org.uk/node/12501](http://www.teachers.org.uk/node/12501). The NUT has also set figures for class sizes which it regards as excessive and requiring reduction. See below.

## **Excessive Class Size**

182. All teachers are aware of the impact of large classes on their overall workload. Support is available from the NUT for negotiations to reduce class sizes. Where such negotiations are not successful, industrial action will be considered if the class sizes exceed the limits set out below.

- 26 pupils in the case of nursery classes with one teacher supported by an appropriately qualified nursery assistant.
- 27 pupils in the case of reception classes.
- 24 pupils in the case of mixed age classes.



- 20 pupils in the case of practical classes.
- 15 pupils in the case of classes of pupils needing particular small group or individual attention.
- 20 in the case of post-16 pupils.
- 30 in other cases.

## **Changes to School Session Times – England and Wales**

183. In Wales, governing bodies of community, voluntary controlled or community special schools are obliged to follow the procedure set out in the Changing of School Session Times (Wales) Regulations 2009 if they wish to make changes to the time of school sessions. Similar regulations used to apply in England but they have now been revoked.
184. In Wales, the governing body is required to consult all teaching and non-teaching staff at the school, as well as the head teacher and local authorities before taking any further steps.
185. Where a governing body in Wales is proposing changes which affect the times at which the school day begins or ends, then the governing body must give at least 3 months' notice to parents and staff and the change can only take effect from the beginning of the school year. Where a proposed change affects only the time of the end of the morning session, or the start of the afternoon session, consequently affecting the length of the lunch break, the governing body only has to give 6 weeks' notice and the change can take effect from the beginning of any term.

186. Where any proposals are put forward which will lengthen the working day for teachers there will clearly be workload implications. Teachers may lose part of their lunch break or there may be implications in terms of total directed time worked. In such circumstances, support from divisions or regional offices/NUT Cymru will be available. Although the regulations applying to England are no longer in place, local officers in England will continue to press for consultation and periods of notice, as described above. The NUT firmly believes that, if a governing body believes it has a strong case for change, it should be prepared to defend its proposals in a full and open consultation with staff and parents. Note also that any changes to teachers' employment contracts should in any case be negotiated.

## **E-mail overload**

187. The increasing use of e-mail as a means of communication in schools can create additional workload for teachers and is often accompanied by unreasonable expectations on the part of management, pupils and parents as to the availability of teachers and their ability to respond instantly to messages.
188. Time to read and respond to e-mails should be incorporated into a teacher's directed time budget, as part of their other professional duties. Teachers should not be expected to deal with their e-mail correspondence in the evenings or at weekends. There should also be no expectation on the part of management that instant replies will be sent. Teachers are best advised not to send work e-mails from personal e-mail addresses, or vice versa. NUT guidance on e-safety is available from [www.teachers.org.uk/node/12517](http://www.teachers.org.uk/node/12517)

## **Classroom Observation**

189. Excessive classroom observation is a serious problem in many schools. The various purposes for which observations may be required has meant that in some schools the total number of observations has climbed, and the context in which they are carried out can be felt to be hostile and bullying, rather than supportive and developmental.
190. There is currently a statutory maximum of three hours per cycle of classroom observation that can be carried out for performance management appraisal, and in most cases that maximum will not be reached. In September 2012 that statutory limit will be removed. The NUT advises, however, that classroom observation for performance management/appraisal should be limited to one observation per year, of no more than one hour in duration except in exceptional circumstances, for example, where the reviewee chooses to request a further observation or where concerns are raised about a teacher's performance.
191. In the exceptional circumstances in which more than one observation of a maximum of 60 minutes is to be conducted, the amount of observation should be kept to the shortest necessary period on the fewest number of occasions, with a maximum overall limit of three hours of observation made up of observations on no more than three occasions. This overall limit should apply to all observations carried out for the current statutory purposes of performance management and evaluation of standards of teaching and learning, meaning that no teacher will be observed on more than three occasions of up to one hour over an academic year, including drop-ins and learning walks.

192. The NUT has developed a classroom observation and drop-in protocol for agreement with school governing bodies. This can be found at [www.teachers.org.uk/node/4488](http://www.teachers.org.uk/node/4488). The NUT is prepared to support members in achieving acceptable arrangements, using the threat of industrial action if necessary. Members should contact their division/association secretary for further advice.
193. It is really important that acceptable classroom observation arrangements are in place in all schools. The statutory limits on observations are being removed as of September 2012 meaning that, unless policies are in place at school level incorporating limits, schools will be free to make their own arrangements. Detailed information on changes to performance management/appraisal, including classroom observation, is available from [www.teachers.org.uk/appraisals-capability](http://www.teachers.org.uk/appraisals-capability).



# Workload – Stronger Together



## SECTION 4

# CONCLUSION

## Section 4 – Conclusion

194. Wherever necessary the NUT will act to ensure that these guidelines are applied to protect members from excessive workload demands. Members in England experiencing problems, whether on an individual or whole school basis, are advised to contact their NUT division, or regional office. Members in Wales should contact their division or NUT Cymru. Where issues cannot be resolved through negotiation and where there is sufficient support among members in any school, the NUT will not hesitate to ballot members for industrial action.
195. Guidance on how to involve members in tackling workload issues is available from the NUT website at [www.teachers.org.uk/workload](http://www.teachers.org.uk/workload).

