



TIME BUDGETS NORTHERN IRELAND 2020

Guidance issued by ASCL Northern Ireland June 2020

Members will be aware of the references to completion of time budgets in the [April Pay and Workload Agreement](#) agreed by TNC and in [communication](#) issued by TNC on 5 June 2020.

On behalf of our members, ASCL NI has, since April, been seeking clarity from the Education Authority on this matter, not least given the current Covid-19 Crisis.

Among the questions asked have been:

1. Will the time budgets be postponed?
2. How and when will the EA provide training (as reference in the agreement)?

Rather than answering specifically in writing, the communication issued by TNC on 5 June simply refers to the need for teachers and principals to be responsive to the changing environment and indicates that a suite of guidance will be developed.

This document, for ASCL members in Northern Ireland, sets out to summarise the existing position in relation to teachers' terms and conditions in relation to time budgets, pupil contact hours and total working hours.

Teachers terms and conditions in Northern Ireland were established in The Jordanstown Agreement 1987. The specific reference to Time Budgets in the 1987 document is: "while the spirit of the agreement is that Principals and each member of their staff should seek to reach agreement on a teacher's Time Budget, teachers will not have freedom to decide for themselves how they allocate their time. It is the Principal's responsibility to ensure that all that needs to be included in a Time Budget is included".

The Legal Position ([Source: TIME BUDGETING TNC 2011/8 Appendix III](#))

2.1 *The 1987 Regulations, Schedule 3, paragraph 4 on working time states the following terms and conditions for teachers, Vice Principals and Principals:*

- 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 a board on terms under which he is not assigned to any one school by the board 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.*
- 2.2** *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".*

3. Directed Time

3.1 *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. Class Contact 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 (TNC 2011/8 Appendix I).

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 (TNC 2011/8 Appendix I).

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.

3.2. *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.*

3.3. *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.*

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

4.1 Contingency Time

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.

The above is clarified in the [Agreement](#) between Management and Trade Union Side of TNC (April 2020) AS FOLLOWS:

Key Points

Teachers' Hours (Directed Time) are:

- 195 days per year (1 August to 31 July):
- non-teaching days should be reasonably contiguous with teaching days
- no more than 190 days teaching children
- up to 1,265 hours per year

Planning, Preparation and Assessment (PPA):

- Directed Time includes time set aside for PPA
- This Pay & Workload Agreement guarantees that 10% of Directed Time (126.5 Hours per annum) is set aside for PPA
- Dedicated PPA time enables teachers to raise standards through individual and collaborative professional activity.

Class Contact Time is:

- part of Directed Time
- up to 23.5 hours per week (post primary) (893 hours per annum)
- up to 25 hours per week (primary and special) (950 hours per annum)
- inclusive of cover

Cover and Supervision:

- Teachers cannot be asked to cover at all (or supervise) when it was known and agreed in advance that an absence would exceed 2 days (other than covering for primary 1, 2 or nursery colleagues)
- Teachers in schools of fewer than 222 pupils, nursery (in primary school), primary 1 and primary 2 teachers are not required to provide such cover.

In drawing up a time budget, you (school principals) will be required to give an appropriate time allocation to each of the elements of the Agreement.

ASCL NI Comment:

Each school will have its own nuances. In addition, many schools have operated in 'good will' especially in relation to 'cover', for example agreeing to allow colleagues time off for personal reasons, e.g. attending their own child's Nativity Play, with colleagues voluntarily covering classes. It will be up to school leaders to explore how and if this practice can continue in their own schools.

ASCL cannot provide a specific template for all schools; however, you can follow [this link](#) to a 'representative sample' based on the following timetable:

45x35min periods per week, Form Meetings 8 minutes per day, Assembly for 15 minutes every day.

Each school will be different and will wish to design its own time budget for staff. Our advice is to keep it simple, especially in the absence of the promised bespoke training.

This guidance is provided for general information purposes only and does not constitute legal or professional advice. They represent ASCL's views, but you rely on them at your own risk. For specific advice relevant to your particular circumstances, please contact your employer's HR service or legal advisers.

Formatted: Font: 10 pt