

## **THE LEICESTERSHIRE AMPLIFICATION (JUNE 1987)**

### **This Document**

1. The purpose of this document is to set out the amplification of the Education (School Teachers' Pay and Conditions of Employment) Order 1987 which has been agreed between the Authority and the Teachers' Association in membership of the Teachers' Negotiating Committee and the Professional Association of Teachers. The provisions of the Order itself will continue to apply; this document explains how those provisions will be implemented in detail in Leicestershire.
2. The Order requires a teacher to be available for work for 195 days in any school year, of which 190 days are to be days upon which the teacher may be required to teach pupils and to carry out other duties. Within that school year, the teacher is required to be available to perform his duties for 1265 hours, allocated reasonably throughout those 195 days. In principle and in keeping with the spirit of reasonableness, it has been agreed that the working year in days and hours for Deputy Headteachers and Principals would quite fairly not be less than those prescribed for teachers.
3. Put simply, this document explains:
  - (a) how the total 195 days and 1265 hours will be applied and what will count, and not count, towards the 195 days and 1265 hours (see Appendix 1); and
  - (b) agreed arrangements for cover (see Appendix 2).

### **Definition of Terms**

4. The following terms are used in this document:
  - (a) "Teacher's Year" means 195 days, not necessarily consecutive, in the school year, made up of 190 days for teaching and other duties ("teaching days") and another 5 days for other duties or activities ("other days").
  - (b) "Pupil's School Day" means the period which pupils attend the school for registration, assembly and teaching, including any mid-session breaks; it is not expected that there will be any change in the length of the Pupil's School day as a result of the Order - any such change will in any event require the prior consent of the Authority, under the Education (No. 2) Act 1986.
  - (c) "Directed Time" means time which counts towards the total of 1265 hours and will consist of "Core Time" and "Extended Time".
  - (d) "Core Time" means the basic time for which all teachers will be required to work and will include:
    - i) the Pupils' School Day;
    - ii) 10 minutes before the start and after the end of the pupils' school day and 5 minutes at the start and end of the mid-day break. To effect any local variation of these times the Headteacher shall consult with the teaching staff of the school/college;

- iii) in the case of primary and special school teachers, non-contact time of a minimum of 50 hours per year on schools premises in addition to the Pupils School Day (non-contact time in secondary schools will occur within the Pupils' School Day);
  - iv) time taken for any reasonable supervisory or security duties Outside the periods mentioned in i), ii) and iii) above; and
  - v) any time within the Pupils' School Day required for attendance at a Governors' Meeting as a teacher Governor.
- (e) "Extended Time" means the specific period of time agreed by the Headteacher and taken for any of the following activities which the Headteacher agreed, in consultation with the teacher, should count towards the Directed Time:
- i) meetings associated with teachers' professional duties, including staff meetings, parents' meetings, departmental meetings, INSET, meetings with appropriate external agencies and meetings with examination boards, etc;
  - ii) sports fixtures and other extra-curricular activities; iii) invigilation of examinations; and
  - iv) attendance outside the Pupil's School Day at a Governors' Meeting as a teacher Governor.
- Any evening activity which counts towards extended time should normally have a known finishing time, agreed beforehand. In fixing the time of evening activities account will be taken of school/college and community needs and expectations.
- (f) "Notional School Day" means a notional period of 6.5 hours and is used below for certain limited purposes associated with leave of absence and non-residential field courses and educational visits.

### **The Basic Position**

5. In accordance with the Order, teachers will be required to be available for 1265 hours of Directed Time, allocated reasonably throughout the Teacher's Year; time spent in travelling to and from the place of work will not count towards Directed Time nor will any break between the working day and any evening activity unless it has been agreed that the time involved counts towards Directed Time.
6. This Basic Position may be modified and credits given in the following circumstances which are dealt with individually below:-
  - (a) Leave of absence.
  - (b) Residential field study courses and educational visits for pupils and students.
  - (c) Non-residential field study courses and educational visits for pupils and students.

- (d) The mid-day break.
- (e) The "Other" 5 days.

### **Leave of Absence**

7. Credit will be given for leave of absence covered by current local conditions of service in accordance with the following paragraphs. Teachers who are absent on a short-term basis either through paid or unpaid leave of absence, or \*an appropriate colleague, will be expected to take responsibility for any necessary preparation for, and follow-up to, the work done by pupils which would otherwise have been undertaken by the absent teacher. Pro rata credits will be given for absences of less than a full day.
8. **Paid Leave of Absence** - where a teacher is granted paid leave of absence, the teacher will be credited with a notional school day of 6.5 hours of Directed Time for each full day's leave of absence, it being recognised that a teacher taking paid leave of absence will, where he/she is able to do so, participate in any agreed Extended Time activities on that day.
9. **Unpaid Leave of Absence** - where a teacher is granted unpaid leave of absence, the teacher will be credited with the time of the Pupil's School Day for each full day's leave of absence. Where such a teacher participates in any agreed Extended Time activity on a day of absence, the teacher shall be credited with the time allocated by the Head teacher/Principal for that activity.
10. **Sick Leave** - where a teacher is absent through illness, the teacher will be credited with a notional school day of 6.5 hours of Directed Time.
11. **Short Leave of Absence during the Working Day** - where a teacher is released from duties for part of the working day at the discretion of the Headteacher/Principal, credit will be given for the actual period of agreed release. Wherever possible such absences should occur outside Core Time on the day concerned.

\*See Glossary

### **Residential Field Study Courses and Educational Visits for Pupils and Students**

12. Residential courses and visits are either "eligible for credit" or "voluntary". These courses and visits which are "eligible for credit" are those which are:
- either (a) considered to be a requirement of an examination course; or (b)
- considered to be essential to the school's curriculum
- by the Headteacher/Principal in consultation with the teaching staff and in accordance with any Directions of the Authority.
13. **"Eligible for Credit" Courses and Visits** - time spent on weekdays and weekend days will count towards Directed Time. Each teacher who accompanies or leads such a residential course or visit, in accordance with the staffing ratio laid down in Administrative Memorandum 32, will be credited with 9 hours of Directed Time for each full day. In addition, a further notional period of 15 hours will be allocated for each night away from school; these notional 15 hours recognise the need for extended supervision generally and for a member of staff to be "on call" at night and will be distributed equitably amongst the teachers accompanying the pupils to supplement the basic entitlement of 9 hours.
14. **"Voluntary" Courses and Visits** - undoubtedly voluntary courses and visits will take place but credit will not be given for such courses and visits. Within the 195 days such courses and visits will be credited at 6.5 hours per day.

### **Non-residential Field Study Courses and Educational visits for Pupils and Students**

15. The provisions of paragraph 12 concerning "eligible for credit" and "voluntary" apply to non-residential courses and visits.
16. **"Eligible for Credit" Courses and Visits** - a teacher who accompanies or leads such a course or visit in accordance with the staffing ratio laid down in Administrative Memorandum 32 will be credited with the time taken or 9 hours whichever is the lesser.
17. **Voluntary Courses and Visits - Paragraph 14 applies.**

### **The Mid-day Break**

18. In accordance with the Order, no teacher may be required to undertake duties during the mid-day break, except as part of Core Time defined in Paragraph 4(d)(ii). The Headteacher/Principal may arrange for activities undertaken during the Mid-day Break to count towards Directed Time as Extended Time activities.

### **The "Other" 5 Days**

19. Each of the "Other" 5 days shall count as 6 hours.

20. One of the 5 days is to be used in every school for a preparation day immediately prior to the beginning of the new school year. The remaining four days will be used on dates agreed by the Headteacher/Principal after consultation with the teaching staff, and after taking into account the school/college and community needs and expectations. At least 2 of the remaining 4 days will be used for whole school in-service activities and curriculum planning for the teaching staff; any remaining days may be spent on special activities by individual teachers.

#### **Activities Outside 195 Days**

21. The Authority recognises that some activities may take place outside the 195 days but such activities will only count as "Extended Time" activities if they are agreed requirements of an examination course or are otherwise agreed by the Headteacher/Principal as "Extended Time" activities.
22. If activities of the kind mentioned above take place at the weekend, the Authority will expect the Headteacher/Principal to take due notice of the County Council's Equal Opportunities Policy in agreeing the timing of the activities involved.

#### **Examination Arrangements**

23. Schedule 3 of the Order defines as a professional duty of teachers:

"Participating in arrangements for preparing pupils for public examination and in assessing pupils for the purpose of such examination; recording and reporting such assessments; and participating in arrangements for pupils' presentation for and supervision during such examination".

(See Further Commentary and Guidance - attached) Part-

#### **Time Teachers**

24. The conditions set out above shall apply pro rata to the proportion of the working year or day for which the teacher is employed.

#### **Supply Teachers**

25. Supply teachers employed for single days are required to work core time. Supply teachers employed for longer periods may be required in consultation with the Headteacher/Principal to work extended time. (Further guidance is contained in Appendix 3).

#### **Other Teachers**

26. Special arrangements will be necessary for teachers who are not on the establishment of any one school, advisory teachers, teacher centre leaders and those who are employed wholly or mainly to teach or perform other duties in relation to pupils at a residential establishment.

## Glossary of Terms

**i) Schedule 3 : Paragraph 4(i)e Mid-day Break**

\*"Reasonable length" should be interpreted as an optimum break between school sessions of one hour although it is recognised that in some cases a shorter break may be appropriate. Thus should be interpreted in the context of the Order and provisions in the Education Act (No. 2) 1986.

**ii) Leicestershire Amplification: Paragraph 7**

"An appropriate colleague" may mean a supply teacher or another member of staff.

Further Commentary and Guidance (attached).

**TIME BUDGET****APPENDIX 1**

N.B. These activities and times are illustrative only: their purpose is to give examples of a "time budget" which may be recorded between the Headteacher/Principal and the teaching staff.

| <b>PRIMARY</b>  |             | <b>SECONDARY</b>  |             |
|---|-------------|---|-------------|
| 9.00 - 12.00 pm = 3 hours x 190   | 570         | 9.00 - 12.15 pm = 3.25 x 190 =  | 6127.5      |
| 1.15 - 3.15 pm = 2 hours x 190  | 380         | 1.30 - 3.30 = 2 hours x 190   | 380         |
| 10 mins before & after school day; 5 mins beginning and end mid-day break = 30 mins x 190 |             | 10 mins before & after school day; 5 mins beginning and end mid-day break = 30 mins x 190 | 95          |
| Parents' Evenings e.g. 2.5 hours x 4  | 95          | Parents Evenings e.g. 2.5 hours x 5   | 12.5        |
| Staff Meetings e.g. 1.5 hours x 38  | 57          | School Meetings e.g. 1.5 hours x 38 (including staff/departmcntal/pastoral, etc)          | 57          |
| At least 50 hours non contact   | 50          |   |             |
|   | 1162        |   | 1162        |
| <b>Other 5 days</b><br>6 hours x 5 =  | 30          | <b>Other 5 days</b><br>6 hours x 5 =  | 30          |
| =   | 1192        | =   | 1192        |
| Balance   | 73          | Balance   | 73          |
| <b>TOTAL</b>  | <b>1265</b> | <b>TOTAL</b>  | <b>1265</b> |

APPENDIX 2

| Category of Absence                             |                               | L.E.A. will supply cover from:*   |
|---|-------------------------------|---|
| Illness   | Primary /Special              | Day 1 Day 4   |
|   | Secondary                     |   |
| Jury Service                                    | up to 3 days more than 3 days | Day 1 Day 1   |
| Approved union duties (not training courses)    |                               | Limited, supply cover as provided by the facilities agreement   |
| Unpaid leave                                    | up to 3 days more than 3 days | Day 1 Day 1   |
| Educational Visits, Residential etc: Variations | up to 3 days more than 3 days | Limited supply cover, from school's rations As above  |
| Maternity Leave                                 |                               | Day 1   |
| Paternity Leave                                 |                               | Day 1   |
| Cervical and Breast Cancer Screening            |                               | Day 1   |
| Unfilled Vacancy                                |                               | Day 1   |
| INSET   | up to 3 days more than 3 days | Limited supply cover, from school's general ration or from earmarked As above                           |
| Planned leave of absence with pay includes:     | up to 3 days                  | Limited supply cover, from Day 1 from school's ration (Primary /Special)<br>No supply cover (Secondary) |
|   | more than 3 days              | As above (Primary/Special/Secondary)  |

**\*PLEASE REFER TO ADMINISTRATIVE MEMORANDUM 33 (RE-  
ISSUED SEPTEMBER 1995) FOR CURRENT ARRANGEMENTS  
REGARDING CENTRALLY FUNDED SUPPLY COVER,**



**Notes**

- (1) All provisions for supply cover are subject to three exceptions regarding a teacher's requirement to cover, viz.
  - (i) he/she is a teacher employed wholly or mainly for the purpose of providing such cover ("a supply teacher"); or
  - (ii) it is not reasonably practicable for the maintaining authority to provide a supply teacher to provide cover; or
  - (iii) he/she is a full-time teacher at the school but has been assigned by the Headteacher in the timetable to teach or carry out specified duties (except cover) for less than 75 per cent of those hours in the week during which pupils are taught at the school.

## FURTHER COMMENTARY AND GUIDANCE

The "Leicestershire Amplification" - so called because it amplifies but does not, and could not, vary the conditions is in the Order approved by Parliament - describes arrangements for counting and (in Appendix 1) recording time spent by teachers on professional duties "directed" by the Head. This reflects the context set by the Order. It is not intended to suggest that "clock-watching" is a natural or desirable characteristic of teachers as professionals; the operation of the condition is likely to be most effective in the interests of schools and of their pupils in cases where the conditions are interpreted and applied by all parties in the spirit of reasonableness and professionalism.

### **"Directed Time"**

Within that context, you are responsible for ensuring that the directed time of a teacher is used in the most effective way in relation to the needs of the school. "Directed Time" means within the terms of the Order, the time when the teacher performs his/her professional duties at times and places specified by you. It does not include any additional time which is needed to enable the teacher to discharge effectively his/her professional duties but which is not specified as to timing and placed by you. The Order gives as particular examples of such duties the marking of pupils' work, the writing of reports on pupils and the preparation of lessons, teaching material and teaching programmes. These duties are part of the basic professional obligation of the teacher but will be undertaken outside Directed Time unless you agree to their partial inclusion in Directed Time.

Directed Time can include time during mid-session breaks and before and after the pupils' school day. Paragraph 4(d)(2) of the Leicestershire Amplification includes within Core Time ten minutes before the start and after the end of the pupils' school day and five minutes at the start and end of the midday break. This allowance of time could be used for various purposes, but its main purpose is to ensure that you can include within the Directed Time of teachers time for them to supervise children arriving at school within that time, to be in their classes ready to receive pupils at the start of a session and to supervise their orderly dispersal at the end of a session. Ten minutes has been used in the past as rule of thumb for the period involved at the start and the end of the day for these duties.

However, circumstances, may of course vary from one school, and one type of school, to another; hence paragraph 4(d)(2) acknowledges the possibility of local variation of this rule of thumb after consultation with the teaching staff. You will determine the appropriate level of supervision, taking into account, for example, the age and maturity of the pupils and the numbers of staff available. You may decide, for example, that less Directed Time for all teachers at the start and end of the day together with more Directed Time for certain designated staff is sufficient for these purposes. You may then consider, for example, reducing the standard allowance within Core Time at the start and end of the pupils' day or introducing, for example, a briefing meeting with staff as part of the ten minutes. Under the terms of the Order and the Leicestershire Amplification, you would be expected to consult staff before taking a final decision.

### **Planning and Consultation**

This raises some more general issues regarding consultation. The role of consultation must be seen in the context of your responsibility for the internal organisation, management and control of the school. The conditions of service of the Head include the duty to consult, where this is appropriate, with, among others, the staff of the school; and the Leicestershire Amplification refers at several points to decisions taken by the Head after consultation regarding the directed time of teachers. The final decision, must therefore, rest with you. Heads will, I imagine, wish

to give due notice for consultation and determination of matters such as these, while maintaining the flexibility to respond to new developments and circumstances at the school.

### **Invigilation**

Invigilation by teachers may fall into both Core Time and Extended Time. During Core Time it will occur as a directed activity taking the place of the normal professional duties of the teacher concerned for the period concerned; you may also direct invigilation outside Core Times and this will count as Extended Time for the purposes of recording the teacher's working hours; hence the provision of paragraph 4(c)(3).

### **Residential Field Study Courses and Educational Visits**

In practice, teachers' participation on many residential field study courses and educational visits is likely to continue to be on a voluntary basis; that is not intended to devalue the undoubted educational and social value of such experiences for pupils concerned. Paragraphs 12-14 describe the arrangements which have been agreed locally regarding the time counted against the teacher's 1265 hours for participation in these activities on the basis of Directed Time. (In the case of voluntary courses and visits within the 195 days, paragraph 15 provides for credit of 6 1/2 hours per day).

Some colleagues have expressed concern about the difficulties of accommodating Directed Time for Field Studies and Educational Visits within the total of 1265 hours. The arrangements for counting the time involved is, I believe, fair, but I recognise that it will not be easy to accommodate within the 1265 hours. You will, I am sure, wish to avoid wherever possible cutting into Core Time for these or other activities.

### **The "Other" Five Days**

The Amplification states that one of the five other days could be used as a preparation day, and a further 2 days could be used for whole school in-service activities and curriculum planning. The remaining 2 days may be used to direct specific activities by individual teachers.

### **Cover**

Earlier references to arrangements for cover are overtaken by the Leicestershire Amplification. The arrangements agreed by the LEA and all the recognised teaching associations are described in Appendix 2 to the Leicestershire Amplification. They are, clearly, a very important part of the overall agreement which has been reached. A particular query has arisen regarding cover for examination duties, following my letter dated 10th June 1987 and paragraph 8 (iii) of my letter TPC (2). The arrangements in Appendix 2 provide for cover by colleagues in secondary schools for teachers' planned leave of absence with pay for any number of days : that will include approved absences from normal teaching duties for the purposes of examination work.

## SUPPLY TEACHERS

### GENERAL CONDITIONS

Supply teachers are paid on an hourly rate if they work for less than a day or a daily rate if they work for 1 day or more days.

Supply teachers engaged at these rates will be expected to carry out, as far as possible, both the teaching responsibilities and the general duties of the absent teacher. They would also be expected to follow the existing pattern of the school day according to the Leicestershire Amplification.

The rate of pay for these is based on a notional 6.5 hour day (See Interim Advisory Committee Report - 31st March, 1988 - para 6.3.9.), which incorporates time for consultation with other members of staff about the supply work at the beginning and end of the supply session, as well as contact time (see note 3).

It is expected that schools will use this additional time to brief the supply teacher on the work that will be expected of them. The precise nature of the teaching, the availability of teaching material, whether work has been set by the absent teacher, and any additional duties required **should be explained and agreed at the time of engagement.**

### PAYMENT OF SUPPLY TEACHERS

1. Calculation of pay

Daily Rate -  $1/195 \times$  Full time rate of salary  
Hourly Rate -  $1/1265 \times$  Full time rate of salary

Full time rate of salary is the incremental point on the Main Scale to which individual teachers are entitled by reference to previous service and qualifications, i.e. not a spot rate of salary.

2. Heads should record the period actually worked by the supply teacher, including teaching and non-teaching time, subject to a maximum of 6.5 hours per day (see note 3).
3. The precise balance between teaching and non-teaching time will vary, but as a rule of thumb every hour of teaching time will attract 20 minutes of non-teaching, directed time within the maximum of 6.5 hours per day.

Where the timetabled day of the school is greater than 5 hours then the general principle of adding directed non-teaching time 10 teaching time should still be used but the 3:1 ratio of teaching time to non-teaching time used in the example below will have to be adjusted. The total of teaching and directed non-teaching time must not exceed 6.5 hours per day.

EXAMPLES

| TEACHING TIME | DIRECTED NON-TEACHING TIME | BASIS OF PAYMENT                               |
|---------------|----------------------------|--|
| 1 hour        | 20 minutes                 | $\frac{1.33}{1265}$ x Full time rate of salary |
| 1.5 hours     | 30 minutes                 | $\frac{2}{1265}$ x Full time rate of salary    |
| 3 hours       | 1 hour                     | $\frac{4}{1265}$ x Full time rate of salary    |
| 5 hours       | 1 hour 30 minutes          | $\frac{6.5}{1265}$ x Full time rate of salary  |