

entitlement to apply once in any school year for assessment against the post-threshold standards.

The responsibility for the assessment is delegated to the headteacher.

The school cannot prevent and should not deter an application for assessment.

From 2009 onwards, performance management review statements will provide the evidence for threshold assessment.

Teaching and Learning Responsibility (TLR) Payments

Teachers who undertake a sustained additional responsibility in the context of their staffing structure for the purposes of ensuring the continued delivery of high quality teaching and learning and for which the teacher is accountable should receive a TLR payment.

The following paragraph has been agreed by the Department for Children, Schools and Families (DCSF), the National Employers, NASUWT, ASCL, ATL, NAHT and VOICE and should be used to determine whether any responsibility teachers are asked to undertake is eligible for payment:

'Teachers will be expected to contribute to curriculum development by sharing their professional expertise with colleagues and advising on effective practice. This does not mean that they can be expected to take on the responsibility of and accountability for a subject area or to manage other teachers. It remains our view that responsibilities of this nature would need to be part of a post that was in the leadership

group or which attracted a TLR payment on the basis set out in the STPCD.'

Pay Policy

All schools must have a pay policy which sets out the basis on which teachers' pay is determined.

All schools must establish procedures for addressing teachers' grievances in relation to their pay.

ADVICE AND SUPPORT

If you experience any problems on the issues raised in this leaflet, please contact your NASUWT Local Secretary, National Executive Member or your National Centre.

Contact details can be found:

- in the NASUWT diary;
- on the website www.teachersunion.org.uk;
- by phoning 029 2054 6080.

A copy of the NASUWT advice on threshold and performance management can be obtained from despatch@mail.nasuwt.org.uk or on the NASUWT website www.teachersunion.org.uk.



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IS YOUR SCHOOL BREAKING THE LAW?

Employers (local authorities and governing bodies) are breaking the law if they do not give teachers and headteachers their statutory and contractual entitlements relating to working conditions, pay and performance management.

This leaflet provides information about a number of your legal entitlements which form part of agreements on pay and working conditions reached with Government. If these provisions are not in place, your school is breaking the law and you should seek advice from the NASUWT.

WORKING CONDITIONS

The conditions of service for teachers and headteachers are contained in the School Teachers' Pay and Conditions Document (STPCD).

The following are key contractual provisions from the STPCD that apply to all teachers and headteachers on permanent or temporary, full or part-time contracts.

These were introduced between September 2003 and September 2005 and have been required by law since that time.

Administrative and Clerical Tasks

Teachers cannot be required to undertake routinely administrative and clerical tasks. Tasks do not have to be done on a daily basis to be routine. Many tasks are done only once a year, such as collating reports.

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This would still be classed as routine and therefore should not be done by teachers.

Below is a list of the type of activities that teachers cannot be required to undertake. **It is illustrative not exhaustive.**

- 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, including standard letters, 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.
- 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.

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- Administration of cover for absent teachers.
- Ordering, 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.

Leadership and Management Time

Those in the leadership group and other teachers who have leadership and management responsibilities are entitled to a reasonable allocation of time within school sessions to support the discharge of their responsibilities. This should be marked clearly on the timetable and distinguished from planning, preparation and assessment time (see below).

Work/Life Balance

All teachers and headteachers are entitled to a satisfactory work/life balance, which helps the teachers combine their work with their personal interests outside work.

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Schools that are committed to work/life balance develop, monitor and evaluate appropriate policies and practical responses. This includes implementing all of the contractual entitlements listed in this leaflet and having strategies in place that bring downward pressure on working hours.

Cover

The headteacher is required to ensure that cover is shared equitably among teachers in the school (including the headteacher), taking into account their teaching and other duties and the desirability of **not using a teacher at the school until all other reasonable means of providing cover have been exhausted.**

Individual teachers cannot be required to cover for more than 38 hours in any academic year.

A record of the cover undertaken by each teacher should be kept by the school.

This contractual change introduced in 2004 was the first step towards reaching a position where teachers rarely cover.

The STPCD contains a provision which puts schools on notice that the date of implementation for rarely covering is 1 September 2009. In the meantime, schools should have set their own interim targets to ensure that they meet the objective of rarely covering by 2009.

Planning, Preparation and Assessment (PPA)

Teachers (including headteachers who are timetabled to teach) are entitled to

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guaranteed PPA time, which should be a minimum of 10% of their timetabled teaching time.

This time is under the direction of the individual teacher, must be clearly marked on the timetable and must not be used for any other activity, including cover.

Invigilation of Examinations

Teachers cannot be required to invigilate any public examination, including GCSEs and SATs.

Dedicated Headship Time

Headteachers with significant teaching loads, e.g. 50%, are entitled to time during the school sessions for dedicated headship time.

They are also entitled to PPA time and leadership and management time.

PAY

Pay Progression

Teachers on the mainscale M1-M6 are entitled to an annual increment.

Teachers on the Upper Pay Spine – UPS1 and 2 – are eligible for pay progression after two years. In exceptional circumstances, it may be less than two years. Pay progression for eligible teachers is an integral part of the performance management process and must be part of the performance review.

Threshold

When a teacher reaches M6 on the pay spine or is on M6, s/he has a legal

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