

WORKING OUT OF SCHOOL

The Association provides the following advice for school representatives and members on this matter.

The right to work out of school is laid down in section 2.2 of the document “A Teaching Profession for the 21st Century”. It simply states: “all tasks which do not require the teacher to be on the school premises can be carried out at a time and place of the teacher’s choosing: teachers will notify the appropriate manager of the intention in this respect”.

There is no other statement made which in any way limits the right of any teacher to work out of school. Despite the rather clear and precise statement above, the Association finds that many school managements are attempting to limit the rights of teachers under this section of the agreement. The following are some common questions asked on this topic.

Q1. Can the right be varied by some statement contained in the school Working Time Agreement?

A No. National agreements cannot be varied at school level.

Q2 Can my headteacher insist that permission is granted before I can work off site?

A No. The statement in the agreement makes this clear. The teacher need only “notify” the intention.

Q3. Can a headteacher insist that I stay in school “for health and safety reasons”?

A The answer is still “no”. Teachers do not have health and safety duties. Teachers have the normal responsibility to work sensibly and have proper regard for health and safety issues but these do not require their being on the premises for every minute of the pupil day.

Q4. My headteacher says that I must stay in school in case there is a fire drill or alarm and I am needed to take the register of my form class.

A This is nonsense. If this had been accepted as being reasonable, the provision contained in the agreement could never have been put into place. In such cases, the usual arrangements for taking the register on behalf of teachers who are absent for any reason should be put into place.

Q5. I have been told that Principal Teachers have “management responsibilities” which they can only carry out in school and hence that Principal Teachers are excluded from those able to work off site.

A Again, this is nonsense. The agreement does not limit the right to unpromoted teachers. Contractually, Principal Teachers (and all teachers) do not have “responsibilities”. They have “duties”. These are listed in Annex B of the agreement. If, however, a headteacher wishes to state that all of a PT’s non-class contact time is to be used for “management duties” then this time must be shown for PTs in the school’s Working Time Agreement (WTA). Since a Principal Teacher has the same teaching duties as an unpromoted teacher, all of the time allocated in the WTA to a teacher’s duties is also allocated to Principal Teachers. It can be seen immediately, therefore, that there is no time available for these “management duties” beyond any given in addition to normal class contact time. It would be impossible to write a WTA which could allocate 5 hours per week or more to “management duties”. This would use 200 hours per year. The amount of time available in any WTA is only 133 hours (190 hours after August 2006). The only method of allocating “management time” to promoted staff is the traditional approach of giving such staff fewer teaching duties.

Q6. It has been suggested that promoted guidance staff cannot take any time out of school because of the possibility of a “parent turning up”. Is this true?

A This is not the case. (Any school which permits parents to “turn up” unannounced and expect to see a member of the guidance staff should re-examine its procedures.) The same argument applies as in the previous question. Since guidance staff are expected to use a part of the working week for guidance duties, this amount must be shown in the WTA **and the time identified**. All guidance staff are encouraged to require the adoption of a system whereby their “guidance” time is allocated and identified on the timetable and is hence kept clear of other “duties” such as class cover. This time can clearly be identified only by the traditional method *viz* by giving promoted guidance staff a lesser teaching commitment.

Q7. I have been told that before I leave school I must notify both my Principal Teacher and a member of the SMT. Is this true?

A Again, it is inaccurate and is a matter clearly covered by the agreement. Notification is given to the “appropriate manager”. The best method of dealing with this issue is by the provision of a “signing out book” as is commonly used in many schools. However any teacher might, as a courtesy, inform the PT of the departure from school.

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