

**AGREEMENT BETWEEN MANAGEMENT AND
TRADE UNION SIDE OF THE TEACHERS'
NEGOTIATING COMMITTEE**

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1. The Teachers' Negotiating Committee (TNC), comprised of the Department, employing authorities, sectoral bodies and teaching unions, has reached an agreement on a resolution of the current industrial dispute. Details of the agreement are set out below.
2. The parties agree to a series of measures to address teacher concerns about workload and accountability and to improve the efficiency and effectiveness of the education system. This communication outlines the various components of this agreement, which address three key areas:
 - Teachers' Pay
 - Measures to be progressed urgently
 - Reviews in nine key areas.
3. The arrangements outlined in this document are effective from 28 April 2020 and all industrial action will cease from this date. There will be a carefully managed and supported transition towards revised working practices in schools with an agreed implementation plan.

Teachers' Pay

4. In addition to incremental progression within salary scales, which for teachers, is payable by contractual entitlement, teacher salary scale points will be revised as follows:

With effect from **1 September 2017**:

- a 2.25% cost of living pay award will be paid to all teachers; and
- teaching allowances will be increased by 2.25%.

With effect from **1 September 2018**:

- a further 2% cost of living pay award will be paid to all teachers; and
- teaching allowances will be increased by 2%.

5. The revised salary and allowance scales are attached at **Appendix 1**.

Measures to be Progressed Urgently

6. TNC has agreed that the measures detailed below will be implemented from the date of ratification of the agreement. All measures below are subject to change following the outcome of the Reviews.

Workload

- Clarification will be provided on the Teachers' Terms and Conditions contained in the Jordanstown Agreement. This is outlined at **Appendix 2**.
- 10% of teachers' Directed Time budget will be allowed for Planning, Preparation and Assessment (PPA).
- All schools should make available discrete time within Directed Time budgets for SENCOs in order to enable them to meet the requirements of their role. The time made available to SENCOs should be proportionate and appropriate to the needs of pupils in the school.
- An annual schedule of meetings will be provided in advance of the academic year. Meetings for all staff, including those with teaching allowances will be accommodated within Directed Time budgets.
- The time spent on reporting to parents on the progress of their children will be included within Directed Time.
- An agreed framework will be put in place to consult on and workload assess all new initiatives and proposals which may increase teachers' workload.
- The current operational arrangements for assessment at individual school level will remain unchanged pending the outcome of the Review of Assessment.
- Pending the outcome of the wider Review of Accountability, PRSD is confirmed as the agreed mechanism for the internal formal evaluation of teacher performance. School leaders, Governors and employers should continue to be sensitive to the workload and directed time impact of school self-evaluation strategies. All activities related to PRSD time must be accommodated within Directed Time.

Industrial Relations

- A pilot scheme will be established to assess the feasibility of Joint Consultative Committees in schools to support positive industrial relations.

Inspection

The ETI has given a commitment:

- not to increase inspection activity and to carry out a similar number of inspections to that undertaken in the 2017-18 and 2018-19 business years;
- that the fact that teachers in a school have engaged in industrial action will not, in itself, determine when a school is next inspected;
- to include the name of the inspection team when a school receives notification of inspection; and
- to engage with NITC to provide further clarification on the documentation and information required for inspection and to clarify key information about inspection to dispel myths. Both of these communications have been

produced jointly and are designed to reduce the perceived excessive workload attributed directly or indirectly to, or as a consequence of, inspection. Both will be issued to schools and are available on the ETI website (<https://www.eti.gov.uk/>).

Health & Wellbeing

- School Development Days, which were introduced by the Department to support curriculum development and school improvement are in addition to the five contractual 'Baker' days and should be used in support of the School Development Plan. Schools are encouraged to use one School Development Day for the purpose of promoting teacher health and wellbeing commencing in 2020-21.
- As part of the Review of Initiatives to Promote and Support Teacher Health and Wellbeing there will be a survey of the teaching workforce.

Transition Arrangements

- Schools will use the period between the ratification of the agreement and the end of the 2019-20 school year to prepare for the implementation of the arrangements outlined above from the beginning of the 2020-21 academic year.
- This will include producing time budgets for each teacher for the 2020-21 school year. Pending the review of the Workload Impact on School Leaders, consideration will be given to the working time of principals. Guidance, training and support, will be provided by EA and employing authorities in consultation with the recognised teaching unions. This can then be cascaded to all staff. Guidance on teachers' terms and conditions, including time budgets is provided in Appendix 2 page 13-18.
- Pending the start of the 2020-21 school year, staff will not be expected to 'catch up' on all aspects of the teacher workload which have been set aside during industrial action.
- In this transition period, teachers will attend school meetings outside of the normal pupil day, up to one per week and no more than 60 minutes in length. These meetings will be in relation to planning for the forthcoming school year and implementation of the working practices agreed in this document.
- ETI will meet with principals and a teacher representative from each school in cluster groups to discuss key messages about inspection and the inspection process.
- District Inspectors will continue to visit schools within their locality (the purpose of which is clarified in the key messages about inspection referenced above).
- Inspections will take account of the context in which schools have been operating during Action Short of Strike, particularly in relation to how measures to promote school improvement, leadership and management, and action to promote improvement are evaluated.

Reviews in Nine Key Areas

7. TNC has agreed that there will be reviews in nine key areas. A brief summary of each of the reviews is shown below. A dedicated Working Group will be established to take forward the reviews with the first six beginning as soon as possible and running concurrently. The membership of the Working Group will be seconded from their normal employment and funded (subject to business case approval) by DE from the Transformation Fund. Work will begin on all nine review areas as soon as possible to an agreed schedule.

- **Review of Employment Model for Teachers**

A joint Management/NITC review to develop a more flexible employment model to allow for a more consistent, timely and flexible redeployment of teachers from school to school, in response to changing circumstances.

- **Review of the Use of Temporary and Substitute Teachers**

A joint Management/NITC review of the employment arrangements and systems support for substitute and temporary teachers. A review in this area offers scope for the achievement of cost efficiencies while also providing support for teachers seeking career pathways in the profession.

- **Review of Workload Agreement**

A joint Management/NITC review will examine the 2011 Workload Agreement and consider further possible changes to the Agreement where alternative approaches have the potential to ease teacher workloads without compromising the overall level of support available to pupils. It will also consider the use and the effectiveness of 'Baker' and School Development Days. Management and NITC agree relevant legal obligations, including working time, will be considered as part of this review.

- **Review of Workload Impact on School Leaders**

A joint Management/NITC review to examine current practices and the impact on the workload of Principals and Vice-Principals. The review will recommend alternative approaches where these have the potential to ease Principal and Vice-Principal workloads without compromising the overall level of support available to pupils.

- **Review of Workload Associated with Special Educational Needs (SEN) Provision**

A DE led review of the end to end administrative processes associated with special educational needs provision, and in particular the statementing process. This review will cover the roles played by, and interfaces between, the Department of Health, local Trusts, the Children

and Young Peoples' Services Directorate within the EA, CCMS, schools, school leaders, SENCOs and teachers with SEN responsibilities.

- **Review of Accountability Framework**

A DE led review of accountability and governance, which will consider the existing accountability and governance framework within the education sector. The need to account for public expenditure and to focus on delivering the best possible educational outcomes for pupils requires an accountability framework which promotes improvement. The NITC has an important contribution to make to this work and formal consultation arrangements will ensure NITC views are fully considered.

- **Review of Consultation Arrangements – Management and Teaching Unions**

A joint Management/NITC review, which will develop consultative arrangements in schools. The review will produce recommendations for consultative frameworks, their implementation and supporting arrangements at both central and local, school-based levels with the aim of promoting positive industrial relations.

- **Review of Statutory Assessment at Key Stages 1, 2 and 3**

A DE led review which will make policy recommendations regarding the purpose, nature and design of Key Stage assessment in Northern Ireland. The review would seek to benchmark against best practice approaches followed internationally, making use of a practitioner working group, to undertake a strategic assessment of current arrangements and produce proposals and recommendations to support the development of fit for purpose arrangements for Key Stage assessment.

- **Review of Initiatives to Promote and Support Teacher Health and Wellbeing**

A joint Management/NITC review to produce recommendations for a new/revised approach which actively promotes teacher health and wellbeing. The review will identify good practice and seek to address gaps in support provision. This will include a survey of teachers' health and wellbeing.

SALARY TABLES

Main Pay Scale

Scale Point	Annual Salary (£)		
	1 September 2016	1 September 2017	1 September 2018
M1	22,243	22,744	23,199
M2	24,001	24,542	25,033
M3	25,931	26,515	27,046
M4	27,926	28,555	29,127
M5	30,127	30,805	31,422
M6	32,509	33,241	33,906

Upper Pay Scale

Scale Point	Annual Salary (£)		
	1 September 2016	1 September 2017	1 September 2018
UPS 1	35,217	36,010	36,731
UPS 2	36,521	37,343	38,090
UPS 3	37,870	38,723	39,498

Teaching Allowances

	Annual Allowance (£)		
	1 September 2016	1 September 2017	1 September 2018
1	1,903	1,946	1,985
2	3,845	3,932	4,011
3	6,602	6,751	6,887
4	9,094	9,299	9,485
5	12,272	12,549	12,800

Special Needs Allowances

	Annual Allowance (£)		
	1 September 2016	1 September 2017	1 September 2018
1	2,062	2,109	2,152
2	4,075	4,167	4,251

Leadership Scale

Spine Point	Annual Salary (£)		
	1 September 2016	1 September 2017	1 September 2018
L1	38,597	39,466	40,256
L2	39,564	40,455	41,265
L3	40,552	41,465	42,295
L4	41,562	42,498	43,348
L5	42,596	43,555	44,427
L6	43,664	44,647	45,540
L7	44,840	45,849	46,766
L8	45,875	46,908	47,847
L9	47,020	48,078	49,040
L10	48,227	49,313	50,300
L11	49,479	50,593	51,605
L12	50,620	51,759	52,795
L13	51,886	53,054	54,116
L14	53,178	54,375	55,463
L15	54,503	55,730	56,845
L16	55,951	57,210	58,355
L17	57,237	58,525	59,696
L18	58,676	59,997	61,197
L19	60,131	61,484	62,714
L20	61,622	63,009	64,270
L21	63,146	64,567	65,859
L22	64,715	66,172	67,496
L23	66,318	67,811	69,168
L24	67,962	69,492	70,882
L25	69,651	71,219	72,644
L26	71,375	72,981	74,441
L27	73,143	74,789	76,285
L28	74,958	76,645	78,178
L29	76,814	78,543	80,114
L30	78,725	80,497	82,107
L31	80,671	82,487	84,137
L32	82,676	84,537	86,228
L33	84,730	86,637	88,370
L34	86,825	88,779	90,555
L35	88,983	90,986	92,806
L36	91,186	93,238	95,103

L37	93,453	95,556	97,468
L38	95,765	97,920	99,879
L39	98,099	100,307	102,314
L40	100,548	102,811	104,868
L41	103,060	105,379	107,487
L42	105,641	108,018	110,179
L43	108,282	110,719	112,934

WORKED EXAMPLE

A teacher who was on scale point UPS3 (£37,870 pa) at 1 September 2016 will receive the following increase:

1 September 2017 – revised salary = £38,723

1 September 2018 – revised salary = £39,498

If the pay award and arrears are included in June 2020 pay, the gross pay will be £6,993.50. This is comprised of £3,291.50 gross salary plus £3,702.00 arrears for the period 1 September 2017 to 31 May 2020.

If the pay award and arrears are included in July 2020 pay, the gross pay will be £7,129.17. This is comprised of £3,291.50 gross salary plus £3,837.67 arrears for the period 1 September 2017 to 30 June 2020.

Note: these figures do not include the additional amounts for those with teaching and learning allowances.

FREQUENTLY ASKED QUESTIONS

Q1. When will I receive my revised salary and arrears?

It is expected that the pay award, including arrears, will be paid to teachers in all schools within 2-3 months.

Q2. I am a temporary teacher. Will I receive arrears?

Yes, the pay award applies to all teaching staff, including substitute teachers. You will receive arrears for all periods of substitute teaching from 1 September 2017.

Q3. I retired from teaching since 1 September 2017. Will I receive any arrears and will there be any impact on my pension?

Yes, teaching staff who have retired since 1 September 2017 will receive their arrears of salary. Your pension and lump sum will be recalculated on the basis of your revised salary points and you will receive payment of these arrears also.

Q4. I left the teaching profession since 1 September 2017. Will I receive any arrears?

Yes, teaching staff (including substitute teachers) who have left the profession since 1 September 2017 will receive payment of arrears.

NI Teachers' Pension Scheme - Employee Contributions

Q5. What are the current employee contribution rates?

The employee salary bands for contribution rates for the period 01 April 2020 - 31 March 2021 are set out in DE Circular 2020/01 which is available [here](#).

Q6. What employee contribution rate is applied to the payment of arrears?

The appropriate employer pension contribution rate to be applied to the payment of arrears is the rate applicable to the current pay period i.e. the month in which payment is made, irrespective of the period to which the arrears apply.

Q7. Will the arrears payment affect the rate of contributions that I pay?

No, where arrears payments (e.g. back-dated pay awards) are made, the annual salary rate for the month of payment is calculated excluding the back-dated pay award, in order to determine the correct contribution rate which is then applied to all pensionable earnings in the month i.e. both salary and back-dated pay awards.

Q8. Will the increase in my rate of salary result in a higher employee contribution rate?

The contribution rate a member pays, as set out in DE Circular 2020/01, is determined by their actual pensionable earnings based on a tiered system.

The table below demonstrates employee contribution rates payable for the Main Scale / Upper Pay Scale points at 2016 and 2018 salary rates.

Scale Point / Teaching Allowance	Salary Rates 1 September 2016		Salary Rates 1 September 2018	
	Actual annual pensionable earnings	Member contribution rate 1 April 2019 - 31 March 2020	Actual annual pensionable earnings	Member contribution rate 1 April 2020 - 31 March 2021
M1	£22,243	7.4%	£23,199	7.4%
M2	£24,001	7.4%	£25,033	7.4%
M3	£25,931	7.4%	£27,046	7.4%
M4	£27,926	8.6%	£29,127	8.6%
M5	£30,127	8.6%	£31,422	8.6%
M6	£32,509	8.6%	£33,906	8.6%
UPS1	£35,217	8.6%	£36,731	8.6%
UPS2	£36,521	8.6%	£38,090	9.6%
UPS3	£37,870	9.6%	£39,498	9.6%
UPS3 + TA1	£39,773	9.6%	£41,483	9.6%
UPS3 + TA2	£41,715	9.6%	£43,509	9.6%
UPS3 + TA3	£44,472	10.2%	£46,385	10.2%
UPS3 + TA4	£46,964	10.2%	£48,983	10.2%
UPS3 + TA5	£50,142	10.2%	£52,298	10.2%

Q9. Where can I find out more information about the NI Teachers' Pension Scheme?

Further information, including FAQs and Factsheets, is available on the Department of Education website at <https://www.education-ni.gov.uk/topics/teaching-staff/pension-scheme>.

TEACHERS' TERMS & CONDITIONS (JORDANSTOWN AGREEMENT)

1. The terms and conditions of employment for teachers employed in grant aided schools are set out in legislation contained in Statutory Rule (NI) 1987 No. 267 Education, The Teachers' (Terms and Conditions of Employment) Regulations (NI) 1987.
2. This remains the core reference point for the terms and conditions of:
 - Principals – Schedule 1;
 - Vice-Principals – Schedule 2 (in addition to the duties of a teacher set out in Schedule 3); and
 - Teachers (including middle managers) – Schedule 3.
3. For teachers (and Vice-Principals), an amendment was made to clarify previous issues around cover. This is contained in Statutory Rule (NI) 1988 No. 299 Education. The Teachers' (Terms and Conditions of Employment) Regulations (NI) (Amendment) 1988.
4. In 2011, this was supplemented by the Workload Agreement TNC 2011/08.

Key Points

5. Teachers' Hours (Directed Time) are:
 - 195 days per year
 - non-teaching days should be reasonably contiguous with teaching days
 - no more than 190 days teaching children
 - up to 1,265 hours per year.
6. 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.
7. 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.

8. 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.

FREQUENTLY ASKED QUESTIONS

Q1. What is Directed Time?

Directed Time means time spent on any activity which the Principal has determined that teacher shall undertake. A teacher shall be available to perform such duties at such times and such places as may reasonably be specified by the Principal. All the time that a teacher has to be on school premises is included in Directed Time.

Q2. Who is responsible for determining a teacher's time budget?

The Principal is responsible for determining a time budget for each member of the teaching staff, giving due regard to the individual responsibilities of each teacher. While the spirit of the agreement is that Principals and each member of 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.

Principals will need to plan the use of the 1265 hours carefully. If they do not, there could be a danger that staff will exhaust their obligatory hours before the end of the school year.

Q3. What is the maximum amount of Directed Time for a full-time teacher?

Directed Time for a full-time teacher may not exceed 1265 hours per year nor apply to more than 195 days per year.

Schools have always been dependent on a commitment from teachers beyond the legal minimum requirement. Schools would find it impossible to include within a teacher's 1265 hours all of the time currently given by teachers to such activities as games, drama, music and school trips.

A teacher's Directed Time of 1265 hours per year (plus additional time needed to prepare and mark lessons) is the basic legal requirement for a teacher to satisfy their contractual obligations.

Q4. How should Directed Time be applied for a part-time teacher?

Directed Time for a part-time teacher should be calculated on a pro-rata basis.

Q5. How should Directed Time be applied for a substitute teacher engaged via NISTR?

As per TNC 2016/1 The Appropriate Use of NISTR, NISTR should be used for immediate, unplanned, short term teaching cover or to fill vacancies which are short term and no more than 6 months. If a temporary teacher is engaged up to 6 months, Directed Time should be applied and it would be appropriate to have a proportionate time budget.

A temporary teacher should not be treated less favourably than a comparable permanent teacher. For example, if a temporary teacher is engaged for a full week in a primary school they should have no more than 25 hours contact time.

Q6. What is included in Directed Time?

The 1265 hours per year, which a teacher is required to be available to work is split up into a number of elements:

a. Class Contact Time

It is acknowledged that the weekly limits of 23.5 hours in a post primary school and 25 hours in a primary or special school will include any time a teacher is involved in class cover.

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.

Unless employed under a separate contract as a mid-day supervisor, a teacher shall not be required to undertake mid-day supervision.

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 5 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.

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.

Q7. When can a teacher be asked to cover or supervise?

In schools of 222 or more pupils:

- when a colleague is absent for one or two days (subject to the maximum class contact limit of 23.5 or 25 hours).
- when covering for a primary 1, 2 or nursery colleague at any time (subject to the maximum class contact limit of 25 hours).
- if it was not known that the absence would exceed 2 days - teachers can cover on the first and second day only (other than for primary 1, 2 or nursery colleagues).

Q8. How many days should a full-time teacher be available to work in one year?

A full-time teacher shall be available for work on 195 days over a period of 12 months commencing on 31 July of which not more than 190 days should involve teaching children in a formal situation. Non-teaching days should, where reasonably possible, be contiguous with teaching days.

The remaining 5 non-contact days are known to many in the education system as 'Baker Days' and are used for training purposes.

Schools may also avail of up to 5 School Development Days (SDDs) for the purpose of school improvement and school/staff development as per the terms of the DE Circular on School Development Days. Depending on the number of SDDs schools avail of, the number of days that pupils are taught in the classroom may vary from 185 to 190 days.

The number of teaching days can be reduced further if a school applies to, and receives approval from DE for an 'Exceptional Closure.' Such closures are unforeseen/unplanned and are outside the control of the school authorities.

Q9. How many hours per week is a teacher required to teach in a formal situation?

A teacher may not be required to teach, as distinct from supervise, children in a formal situation for more than 25 hours per week in a primary school and 23.5 hours per week in a post primary school.

Q10. If a teacher is in receipt of a Teaching Allowance, should time to perform these duties be included in the time budget?

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.

Q11. Is attendance on residential trips included in Directed Time?

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.

Q12. Is attendance at School Assembly included in Directed Time?

Yes, attendance at School Assembly is included in Directed Time. Leading an assembly is considered to be class contact time in the time budget.

Q13. Is registration included in Directed Time?

Yes, registration is included in Directed Time. If a teacher is required to deliver learning or pastoral work, this period of time is considered to be class contact time in the time budget.

Q14. Is a teacher's participation in extra-curricular activities included in Directed Time?

Schools have always been dependent on a voluntary commitment from teachers beyond the legal minimum requirement. Schools would find it impossible to include within a teacher's 1265 hours all of the time currently given by them for voluntary activities such as games, drama, music and school trips.

Q15. What is a teacher's lunch break entitlement?

All teachers are required to have a break of at least 30 minutes.

Teachers in a Primary or Post Primary School are required to have a break of at least 30 minutes between the hours of 12 noon and 2.00pm.

Teachers in Nursery Schools and in Nursery Units in Primary Schools are required to have a break of at least 30 minutes between the hours of 12 noon and 2.30pm.

Lunch breaks are unpaid and do not count towards Directed Time.

Teachers are not required to remain on school premises during lunch break.

Q16. What is contingency time?

Contingency time is the time left following the allocation of Directed Time commitment. 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.

Q17. Are evening meetings accounted for in directed time?

Yes, evening meetings are included within directed time.

Q18. Can I claim for travel to evening meetings?

Yes, where an employee makes a second journey of the day to their permanent place of work, the employee is entitled to be paid mileage from home to their permanent place of work. This will be paid at NI Civil Service rates. Expenses forms for teachers working in maintained and controlled schools are available from the Accounts Department within the Education Authority.