



# SOLIHULL METROPOLITAN BOROUGH COUNCIL

## Model Policy: Cover for Teacher Absence 2009

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## MODEL POLICY: COVER FOR TEACHER ABSENCE 2009

### 1. Introduction

1.1 This policy applies to **all** employees of the school, and has been agreed by the governing body following consultation with all staff and union representatives at the school. The governing body, through the Headteacher, will ensure that the policy is implemented.

1.1 This policy should be read alongside the following documents and policies:

- School Pay Policy, which details the employment terms and conditions of all employees at the school
- Leave of Absence Policy
- PPA Policy
- The school calendar published each school year in accordance with provisions of para 164 of the section 3 Guidance to the STPCD;
- The school directed time budget;
- The School Improvement Plan.
- Work/life Balance Policy;

1.2 The Governing Body recognises the importance of developing a whole school cover policy, to ensure the effective deployment of staff providing cover. It outlines:

- the circumstances in which cover supervision will be appropriate;
- what the role of the staff providing cover supervision will be;  
and
- the skills and knowledge required to carry out that role effectively.

### 2. Context

2.1 The National Agreement on Raising Standards and Tackling Workload, signed on 15th January 2003, agreed contractual changes to teachers' pay and conditions with most of the trade unions representing school employees. The contractual changes were introduced over a three year period from 2003 to 2005 and are incorporated in the School Teachers' Pay and Conditions Document issued on an annual basis. This means that changes made annually have statutory effect.

2.2 The objective of progressive movement towards a position where teachers may only be asked to cover rarely for absent colleagues was clearly set out in the National Agreement and is to be implemented from 1 September 2009. The contractual provision applies to all teachers and the Headteacher at the school, including teachers on the leadership spine and ASTs whether on permanent, fixed-term or temporary contracts and pro-rata to teachers on part-time contracts.

2.3 'Rarely covering' is an integral part of the overall package of contractual change set out in the National Agreement, and is designed to raise standards by freeing teachers and Headteachers from tasks which do not require their professional skills and expertise, and

enabling them to focus on their core function of teaching and leading and managing teaching and learning. It should not be seen in isolation from the rest of the National Agreement.

### 3. Aims

3.1 The School Teacher's Pay and Conditions Document 2008 describes absence as occurring "when the teacher normally responsible for teaching a particular class is absent from the classroom during the time they have been timetabled to teach". The type of absence will vary but may include internal and external activities as well as sickness. It may be short-term or long-term but all types of absence will be carefully managed to minimise the impact on teaching and learning for the pupil.

3.2 Arranging cover is a key element of the school's whole approach to providing high quality education for all pupils in the absence of teaching staff. The Headteacher and Governing Body believe that it is inappropriate for a teacher's absence to be covered by anyone other than a qualified teacher for more than 3 consecutive days unless the circumstances are exceptional. This is consistent with the *Education (Specified Work and Registration, England) Regulations*. The final judgment on the maximum length of time, in any one case, rests with the Headteacher, who will take account of the issues raised in 4.1.

3.3 Cover supervision occurs when there is no active teaching (i.e. specified work) taking place and under the supervision of a member of staff, pupils undertake pre-prepared work. Cover supervision does not involve carrying out specified work as outlined in the Education (Specified Work and Registration) (England) Regulations 2003 and accompanying guidance.

3.4 Cover supervision will only be used for short-term absence and the school will not use this form of cover for medium to long-term absence or as a way of dealing with a staff vacancy. For short-term absence the school will use the following strategies as appropriate:

*NB:- Suggestions to consider for possible inclusion in the policy:*

*a) Supply teachers*

*b) Employ support staff (directly or in collaboration with local schools)*

- as Cover Supervisors, where cover supervision is the core part of their role (when not required for cover, they could be assigned e.g. to provide additional support to teachers in class or to carry out administrative tasks);*
- as discrete Cover Supervisors, whose sole role is to provide cover supervision;*
- as TAs/HLTAs as part of a wider school role;*
- as Pastoral Managers who may be required to provide cover only if they are not teachers or have a separate contract which states they will provide cover;*
- in a multi-faceted role of which a part is cover or cover supervision;*

*c) employment of teachers specifically for cover (directly or in collaboration with schools);*

*d) use of agency staff*

*e) Employment of a teacher on a short-term contract.*

3.5 The Headteacher in this school will exercise his/her professional judgment in determining what should be determined as short-term absence. (See para 3.2 and Appendix)

### 3.6 Medium and Long-term Absence

The school will cover medium- and long-term absences by a teacher, either through a fixed-term appointment or supply teacher.

3.7 The school will consider the appropriate deployment of supply teachers in the case of long-term absence. Alternatively, the Headteacher may consider a revision to the agreed timetable in the event that there are sound educational grounds for doing so. Such revisions will be subject to consultation with staff and unions.

3.8 The school will ensure that robust school systems are in place so that teachers, including the Headteacher, are not required to provide cover other than rarely. The systems will attempt to deal with all foreseeable events on the basis of the normal, local historic patterns of absence and as part of the evolving pattern of provision.

3.9 Where events occur that are not foreseeable, the provision of cover for the absent colleague will be shared equitably among all teachers in the school (including the Headteacher) taking account of their teaching and other duties and of the need to ensure that teachers and the Headteacher may be required to cover only rarely.

3.10 The guaranteed PPA time of teachers at the school forms part of the legal conditions of employment and will not be used for cover.

### 3.11 Short Term Absence

See Appendix 2 for examples.

## 4. Cover Strategies

4.1 The Governing Body has agreed that a range of strategies should be available to the Headteacher when dealing with short term absence. This is intended to allow the Headteacher to deal with teacher absence in a way that is compatible with the National Agreement and the best use of the school's resources. Details of the possible options the Headteacher may utilise are set out in Section 5. As a school, our key considerations will be as follows when deciding whether the use of cover supervision is appropriate or not:

- a) the extent to which continuity of learning can be maintained;
- b) the length of time a particular group of pupils would be working without a qualified teacher;
- c) the proportion of the total curriculum time affected in a specific subject over the course of a term
- d) the particular needs of the class concerned
- e) the skills and experience of the teacher / teaching assistant / cover supervisor / supply teacher / floating teacher concerned.

### 4.2 Future Cover Arrangements

The Headteacher or senior manager will use his/her professional judgment to determine the precise responsibilities of staff carrying out cover for absent colleagues (See TA/Cover

Supervisor Job Description – Band C). This will be discussed with the whole school staff. (See HR Intranet Site)

## **5. Roles and Responsibilities**

As indicated above, the Headteacher has discretion to deploy any or all of the following in order to cover for absence:

### **5.1 Supply Teachers**

Where supply teachers are to be deployed, the school will only use people who are suitably qualified. Agencies will be required to specify whether supply teachers hold QTS status and have undergone the appropriate safeguarding and qualification checks.

When a qualified supply teacher is employed to provide cover, the school will ensure that, as far as is reasonably possible, they will be delivering teaching and learning, not simply supervising the pupils. It is the responsibility of .....(within the school's procedure) to ensure continuity and progression in pupils' learning.

In order to make the most effective use of supply teacher time, the school will ensure, as far as reasonably possible, that the following materials are available for use by each supply teacher:

- School induction pack, setting out key policies, e.g. on behaviour management;
- Clearly explained lesson plans that define the teaching expectations, the resources to be used, the demands that should be made of the class and the homework to be set;
- Information about the abilities and prior attainment of the pupils;
- Access to relevant CPD (for longer term appointments)

### **5.2 Teaching Assistants**

The primary function of teaching assistants is to support and assist qualified teachers to deliver effective teaching and learning. The Teaching Assistant role carries its own professional responsibilities and this school recognises Solihull Contract for the employment of teaching assistants and associated job descriptions related to Teaching Assistant/Cover Supervisor (Band C), Advanced Teaching Assistant (Band D) and Higher Level Teaching Assistant (Band E).

Teaching assistants may be deployed as one of the possible options for delivering cover supervision, provided they carry out work identified in the regulations specified under s133 of the 2002 Act under the direction and supervision of a qualified teacher. This does not always require the teaching assistant to be supervised or directed by a teacher sharing the same classroom.

In the long term, issues affecting support staff in England will be the subject of joint guidance and advice from the School Support Staff Negotiating Body (SSSNB) leading to the

development of a National Structure. Until such time as the SSSNB and National Structure are established, school support staff will continue to be covered by the National Joint Council agreement and any other local agreements in place.

Where the school wishes to deploy support staff as part of meeting the contractual changes to teachers, the Headteacher will:

- have regard to the suitability of task to the member of staff's current role;
- have regard to the impact on their workload and whether sufficient time is available, or could be freed up;
- consider any additional training needs;
- ensure that if additional paid working hours are required this is agreed with the member of staff
- ensure job descriptions are revised to reflect agreed changes and additional responsibilities;
- ensure pay and grading reflects any revised roles and responsibilities.

**Teaching Assistants will not be required to undertake any duties that are not contained in their current job profiles.**

The school will agree strategies for deploying support staff so that this does not increase workload upon individual support staff or place excessive burdens on a support worker's workload.

### 5.3 Cover Supervisors

Cover supervision by effectively deployed support staff with appropriate skills and training will form part of our short term cover strategy. Cover supervisors may be wholly or mainly employed to undertake this role, (for example a suitably trained technician or administrator already working in the school might also be employed as a cover supervisor). Job descriptions, person specifications and salaries will be in line with the LA's standards and pay & grading structure.

Cover supervision is a responsible role involving, as it does, taking sole charge of a group of pupils. The school will ensure that staff undertaking such cover will:

- have an enhanced disclosure from the Criminal Records Bureau
- be familiar with the full range of school policies, particularly those regarding Health & Safety, Safeguarding and Child Protection, Equal Opportunities and Special Needs
- have the necessary skills and knowledge to
  - manage classroom activities safely;
  - the physical learning space;
  - resources for which they are responsible;
  - understand and be able to use a range of strategies to deal with classroom behaviour as a whole and also individual behavioural needs;

- understand the line management structure and their role in relation to other adults in the classroom (e.g. volunteer helpers).
- be working towards, as a minimum, a Level 3 qualification in supporting teaching and learning or its equivalent. This will be an expectation for all support staff members in the future.

Different arrangements may need to be made reflecting the age and organisation within the School but core activities will be:

- short term supervision of work that has already been set as part of the normal curriculum in accordance with school policy. Teachers will not be expected to prepare additional material specifically for cover supervisors to use during their absence. They will, however, be expected to act professionally in preparing material as part of normal lesson planning, which could be used by other staff undertaking cover duties as appropriate.
- managing the behaviour of pupils in line with our policies whilst they are undertaking this work to ensure a constructive environment
- whilst there is no active teaching taking place, responding to pupils' questions, for example about process and procedures
- dealing with any problems or emergencies according to the School's policies and procedures
- collecting any completed work after the lesson and returning it to the teacher
- reporting back as appropriate using the school's agreed referral procedures on the behaviour of pupils during the class and any issues arising
- marking work where this can be undertaken by reference to an answer grid, e.g. in multiple choice questions.

The school will agree strategies for setting work so that this does not increase workload for teachers or place excessive burdens on a teacher's workload.

Cover supervisors, whether currently employed or future recruits, will receive specific training for their role including behaviour management. Cover supervision training should involve dedicated training time, periods of observation and an ongoing mentoring and monitoring programme.

The support system for these staff will be as follows:

*NB:- Suggestions to be determined by the school:*

- *supervision and management by (please specify .....)*
- *continuing professional development (CPD)*
- *school's own mentoring system*
- *performance management/review systems*

#### 5.4 Floating Teacher

Where a floating teacher is employed, the school will specify the basis on which the floating teacher is employed and how s/he may be deployed.

## 5.5 Shared Teacher

This option will only apply in certain areas, where schools have chosen to share the costs of employing a teacher on a shared (cluster) basis as a resource for all. Typically, the teacher will be employed on the payroll of one of the schools, but a service level agreement or a protocol will need to be in place to ensure a fair distribution of the available teaching time. If the teacher is employed solely to cover the absence of other colleagues, 'rarely cover' will not apply. It would be feasible to use the shared teacher to develop a bank of learning resources for other staff to draw on in the event of staff absence. Care should however be paid to the teacher's professional development.

## 5.6 Teachers/Headteacher covering for absent colleagues

The school will ensure robust systems are in place from 1<sup>st</sup> September 2009 so that teachers cover for absent colleagues only rarely. The system will deliver this entitlement and will deal with all foreseeable events and will take into account the school's historic patterns of absence but the system will not deal with events that are not foreseeable.

Teachers, including the Headteacher, should cover only rarely, for absences which are not foreseeable.

In implementing 'rarely cover' the school will take into account that 'rarely cover' does not mean 'never' but the school will ensure that the provision of cover for the person who has been timetabled to take a particular class is shared equitably among all teachers in the school (including the Headteacher) taking account of:

- their teaching and other duties;
- the need to ensure that teachers and the Headteacher may be required to cover only rarely in the case of circumstances that are not foreseeable;
- guaranteed planning, preparation and assessment time (National Agreement 2005 phase 3 contractual entitlement) cannot be used.

## 6. Educational Visits

6.1 Educational visits are planned foreseeable activities when a teacher may be absent in order to participate in such an activity. The school will ensure that such activities are addressed within the school's robust systems for 'rarely cover' (e.g. timetable of events).

## 7. Gained Time

See Appendix 2 for guidance

7.1 The National Agreement made provision to reduce the burden on teachers of covering for their absent colleagues. The Agreement also provided for teachers to be released from those duties that do not require the "skills and professional judgement of a qualified teacher."

Any time a teacher is released from a timetabled teaching commitment counts as "gained time". Gained time is in addition to 10% Planning, Preparation and Assessment time (PPA).

The bulk of this in secondary schools is likely to be in the summer term when students are released for “study leave” and to sit public examinations and tests. Other situations leading to the suspension of some lessons or the whole timetable may also generate “gained time”.

If teachers are directed to cover during gained time, it will only be under the terms of the ‘rarely cover’ agreement.

*7.2 During the academic year, particularly in the summer term, teachers who take examination classes or groups are often released from some of their timetabled teaching commitments as a result of pupils being on study or examination leave. Such time is known as ‘gained time’. (See Section 4 STPCD)*

*7.3 There are activities directly relevant to teaching and learning for which it would be appropriate and desirable to use gained time and which it would be reasonable for the Headteacher to direct teachers to undertake. A list of typical activities is as follows:*

- *Developing/revising departmental/subject curriculum materials, schemes of work, lesson plans and policies in preparation for the new academic year. This may include identifying appropriate materials for use by supply staff and/or cover supervisors;*
- *Assisting colleagues in appropriate, planned team teaching activities;*
- *Taking groups of pupils to provide additional learning support;*
- *Supporting selected pupils with course work;*
- *Undertaking planned activities with pupils transferring between year groups or from primary schools;*
- *Where the school has a policy for all staff to release them for CPD during school sessions, gained time may be used for such activities. (STPCD, Section 4)*

## **8. Monitoring**

8.1 The Governing Body will ensure that a log is maintained of the hours provided for cover purposes by each teacher, including those worked by the Headteacher. The Headteacher has overall responsibility for monitoring and evaluating the effectiveness of provision and reporting annually to Governors in his/her report.

8.2 This policy has been agreed by the Governing Body.

Date agreed:

Review date:

## **Appendix One**

**Listed are the possible situations where cover may be required.**

The following list is not intended to be exhaustive and the Headteacher will use his/her judgment on whether additional reasons for absence should be included within the spirit and intention of this policy.

- Short term illness
- Attendance at meetings (internal and external)
- Medical appointments (where these cannot be arranged outside school hours)
- Professional development activities (CPD)
- Domestic reasons (for which compassionate leave may have been granted)
- Parental leave (unpaid)
- Religious observance
- Educational visit
- Long term illness
- Bereavement
- Maternity/paternity/adoption leave
- Unfilled teaching post
- Other

## Appendix Two

### Guidance

#### Short Term Absence

The School defines 'short' term absence as follows:

Suggestions to consider:

- absences known in advance (i.e. foreseeable) e.g. professional; development/medical appointment (if this cannot be arranged outside of the working day);
- 1 or 2 days' unplanned absence e.g. staff sickness;
- Attendance at meetings.

Depending upon the timetable of the absent teacher, it is likely that cover supervision will become 'specified work' within \_ days and active teaching would be required. In such circumstances the Headteacher will ensure teaching and learning take place by one or more of the following means:

*Possible suggestions (not shown in order of preference):*

- *employing a supply teacher*
- *using a 'floating' teacher*
- *using a shared teacher (based on clusters of schools)*
- *directing the Higher Level Teaching Assistant to take the class*
- *using an Advanced Teaching Assistant*
- *re-organising the year group so that each class is 'supervised' for part of the day and taught for the majority.*

#### Specified Work

'**Specified Work**' is quite different from '**Cover Supervision**'. The Regulations define 'Specified work' as:

- a) planning and preparing lessons and courses for pupils;
- b) delivering lessons to pupils. This includes delivery via distance learning or computer aided techniques;
- c) assessing the development, progress and attainment of pupils; and
- d) reporting on the development, progress and attainment of pupils.

The Regulations state that Support Staff may carry out specified work subject to a number of conditions.

These are that:

- the support staff member must carry out the 'specified work' in order to assist or support the work of a qualified teacher in the school;
- the support staff member must be subject to the direction and supervision of a qualified teacher in accordance with arrangements made by the Headteacher of the school; and
- the Headteacher must be satisfied that the support staff member has the skills, expertise and experience required to carry out the 'specified work'.

The school will use its established system of supervision and support for staff delivering 'specified work'.

In Solihull the following Support Staff have been identified for the purposes of undertaking 'specified work':

- Advanced Teaching Assistants (Band D)
- Higher Level Teaching Assistants (Band E)
- Instructors (Where the Headteacher is of the opinion that the staff member has the necessary skills, experience and expertise required to carry out the 'specified work').

'Specified work' may cover a range of activities at different levels – including, for some Support Staff working with whole classes, in these cases the Headteacher will have regard to the 33 professional standards for HLTAs in determining whether those staff have the necessary level of skills and expertise.

In order to ensure the contractual arrangements for Support Staff (i.e. pay and grading), the school will consult with Human Resources Advisers;

When delivering specified work, support staff will need to be subject to the school's normal supervisory arrangements and emergency procedures, as laid down in the Section 133 Regulations issued under the Education Act 2002;

Appropriate training e.g. in classroom management, behaviour management, health and safety, equal opportunities, safeguarding and SEN etc will need to be provided to all support staff engaged in 'specified work';

Support staff who deliver 'specified work' will have paid time set aside to plan and prepare for their own role in lessons and liaise with their class teachers. Support Staff planning and preparation time will be within their contracted time but not necessarily within the timetabled teaching day.

### **Appropriate Training and Support for Support Staff**

Schools should take care to ensure that staff have the necessary skills and knowledge before being given charge of a class. (See 5.3)

Training materials could include those used to assist teaching assistants e.g.

- Teaching Assistant Induction Training (TDA)
- Support Staff Introductory Training (TDA)
- LA/Training Provider
- School's own training
- National Occupational Standards in Supporting Teaching and Learning
- HLTA Professional Standards
- HLTA preparation, training and assessment as appropriate

## **Learning Resource Centre**

Cover supervision can be particularly beneficial where work has been carefully pre-set or where pupils can undertake effective self-directed study. Using a learning resource centre to support self-directed study might work well where ICT-based learning is employed. Any arrangements to be made must avoid placing burdens on teachers, but it may be feasible to develop banks of appropriate materials which could be supported by other staff in a learning resource centre setting.

## **Other**

School to determine but we recommend that the Headteacher seeks advice from the LA HR Adviser before including other categories.

## **School Calendar**

To ensure the system for managing cover is robust, every school should publish a calendar for each school year, in accordance with provisions of para 164 of section 3, following consultation with staff and their union representatives.

The school calendar will also provide for the school's annual teaching timetable for every teacher. Teaching timetables are not frozen in time and there may be in-year variations in timetabled teaching arrangements and variations from year to year.

Schools may need to review revise their timetables in light of significant changes (e.g. a long term absence or other significant educational development) and should do so well in advance and in consultation with staff and their union representatives. Changes to the calendar should not be a frequent occurrence.

## **Gained Time**

In keeping with the spirit of workforce reform the school will make effective use of the time teachers spend in school to maximise the benefits to pupils' learning. Thus "gained time", if effectively managed and used, could have a significant positive impact on school standards. Planning for the management of gained time will be essential.

As "gained time" is within a teacher's 1265 contractual hours of directed time a Head is able to direct how this time should be used.

The school will review this time openly and consider how it might best be deployed for the advantage of students and their learning without being detrimental to the work/life balance of teachers. The school will not be over-prescriptive for small amounts of gained time e.g. "one day trips" that might lead to the suspension of one lesson for a teacher.

Wherever possible and practicable the school will aim to ensure a fair distribution of "gained time". This may be achieved in secondary schools through equitable distribution of examination classes.

## Appendix Three

The following reference sources will assist Headteachers and governing bodies in setting the cover policy for the school.

- Raising Standards and Tackling Workload: a National Agreement
- The School Teachers' Pay and Conditions Document (STPCD) and Guidance on School Teachers' Pay and Conditions
- The Education (Specified Work and Registration) (England) Regulations 2003
- The Education (Specified Work and Registration) (England) (Amendment) Regulations 2007
- Time for Standards: Guidance Accompanying the Section 133 Regulations Issued under the Education Act 2002
- Higher Level Teaching Assistant (HLTA) Professional Standards
- Conditions of Service for School Teachers in England and Wales (The Burgundy Book)
- School Support Staff: the Way Forward (NJC for Local Government Services 2003)
- WAMG Note 10
- WAMG Note 12 (Effective Deployment of HLTAs)
- WAMG Note 17 (Effective Deployment of HLTAs to Help Raise Standards)
- WAMG Note 22 (The Appropriate Deployment of Support Staff in Schools)
- Guidance for Schools on Cover Supervision (WAMG Guidance)
- Guidance for Schools on HLTA Roles for School Support Staff (WAMG Guidance)
- Time for Standards: Remodelling Cover – Resource Pack