



BRIEFING

COVER AND NON-CONTACT TIME

NASUWT Cymru is aware that there are members who have non-contact time above and beyond what has been allocated for planning, preparation and assessment (PPA) time. Sometimes this non-contact time is being taken for cover.

This briefing is to clarify the contractual position on cover for teachers in Wales.

'RARELY COVER'

Rarely cover is an integral part of freeing teachers and headteachers from tasks which do not require their professional skills and expertise. It enables them to focus on their core functions of teaching and leading, and managing teaching and learning.

For teachers working in Wales, the [School Teachers' Pay and Conditions \(Wales\) Document \(STPC\(W\)D\)](#) states that:

'Teachers should be required to provide cover in accordance with paragraph 50.7 only rarely, and only in circumstances that are not foreseeable (this does not apply to teachers who are employed wholly or mainly for the purpose of providing such cover).'

This applies to all teachers, including headteachers, teachers on the leadership spine and part-time teachers, irrespective of whether they are employed by a local authority maintained school or by the governing body of a foundation, voluntary-aided or foundation special school.

Schools should therefore have a robust system in place to ensure that teachers cover for absent colleagues rarely and, even then, only in exceptional circumstances that are not 'foreseeable', such as those which may occur when there is a genuine emergency situation.

Given the above, the Union maintains that the overwhelming majority of events which take place in schools are foreseeable. For example, the requirement for cover due to staff being absent on a school trip or attending meetings would clearly be pre-planned and therefore foreseeable.

In addition, adverse weather or traffic conditions which can impact on the attendance of teachers can be seen as foreseeable, particularly at certain times of the year.

The daily absence of staff due to ill health is also foreseeable. Schools should employ enough 'cover assistants' to ensure that this daily requirement is met and employ supply staff when required.

As such, these situations should not prompt the need for teachers to cover under the provisions of 'rarely cover' referenced above.

THE USE OF NON-CONTACT TIME AS COVER

If a teacher has non-contact time above and beyond allocated PPA time, this cannot be used for cover unless the teacher is 'employed wholly or mainly for the purpose of providing such cover'.

This time could be treated as **'gained time'**.

GAINED TIME AND RARELY COVER

During the academic year, teachers who have examination classes/groups may be released from timetabled teaching commitments as a result of pupils being on study or examination leave. This is referred to as gained time.

During gained time, teachers are only required to undertake activities from the list below, which were previously listed in Section 4 of the STPCD:

- 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 members' 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 coursework;
- undertaking planned activities with pupils transferring between year groups or from primary schools; and
- where the school has a policy for all staff to release them for continuing professional development (CPD) during school sessions.

Defining the use of gained time is to avoid teachers being directed to undertake activities during this time that do not require the skills and abilities of qualified teachers and to enable them to focus on tasks that enhance teaching and learning.

Members may be required to use gained time to cover for a colleague. However, in such circumstances, this should only happen rarely and in unforeseen circumstances.

THE USE OF NON-CONTACT TIME AS PPA

It should be remembered that 10% PPA is a minimum. NASUWT considers it good practice to award as much PPA time as possible to reduce teacher workload and improve wellbeing. School leaders might also consider the temporary award of extra PPA to cover:

- new qualifications;
- staff teaching outside their subject specialism; and
- in practical subjects where technical support is not available.

RARELY COVER AND TIMETABLE VARIATIONS

Variations to the timetable should only ever be made where there are sound educational reasons for doing so.

Variations should therefore only ever be rare occurrences and schools should not seek to re-timetable or re-designate teachers within the academic year during gained time in order to avoid breaching the provisions on rarely cover.

If changes are proposed to your timetable or to the timetable of a group of teachers and no sound educational reasons are given for the change, you should seek further advice and guidance from the Union.

Other than for teachers who are employed wholly or mainly to cover, including supply teachers, teachers should not routinely be expected to cover for absent colleagues, nor should they be expected to teach pupils who they have not been assigned to teach, i.e. pupils who are not registered for timetabled lessons with them, collapsed classes or multi-class assemblies.

Splitting classes or combining classes is not an appropriate response where this results in a teacher being asked to cover for absence, given that cover is not an effective use of a teacher's time.

RISK ASSESSMENTS AND RARELY COVER

Risk assessments should make clear how a school intends to address the issue of compromised staff levels due to absence, particularly during specific times of the year, e.g. seasonal flu during the winter months.

Where appropriate, employers must demonstrate that they have updated their risk assessments in consultation with staff and trade unions, including their legal obligations to take all reasonably practicable steps to safeguard the health, safety and welfare of staff and pupils.

When dealing with compromised staffing levels due to absence, schools should retain the option to send pupils home where the safety of provision cannot be maintained.

Should you require further advice or support, please contact NASUWT.

SCHOOL TRIPS AND RARELY COVER

Whilst educational visits can be beneficial to the education and development of children and young people, these are planned activities. As such, teachers should not be expected to cover for colleagues who are absent on a school trip unless there is an emergency or unforeseen circumstance which arises as a consequence.