

GUIDANCE AND ADVICE ON THE ALLOCATION AND OPERATION OF COVER ARRANGEMENTS

1. Introduction

- 1.1 This guidance is based on provisions set out in the Teachers' (Terms and Conditions of Employment) Regulations (Northern Ireland) 1987, as amended by the Teachers' (Terms and Conditions of Employment) (Amendment) Regulations (Northern Ireland) 1988.
- 1.2 This guidance has been developed to provide a framework for Principals to ensure the provision of cover for absent teachers is shared on a fair and equitable basis. All schools are required to develop a cover policy for the arrangements for cover during periods of teacher absence. A model policy has been drawn up to assist schools (see Appendix II). Any significant variation to or review of the model policy will take place following consultation with the recognised trade unions. The policy should be known and available to all staff, detail the normal arrangements whereby classes will be covered and how this will be achieved. The policy should cover arrangements for planned and unplanned absence.
- 1.3 It is recommended that the implementation of cover arrangements is monitored by the Principal, on a regular basis, in consultation with the recognised trade unions' representatives in the school, to ensure that a fair and equitable distribution of cover duties amongst teaching staff is achieved. The ICT management systems in schools may assist with this process.

2. The Legal Position

- 2.1 The above named Regulations set out the hours a teacher may be required to teach as distinct from supervise pupils.¹ The 1988 Amendment Regulations Regulation 2 sub para (1) (a), (b) and (c) states:
"Supervising and teaching any pupils whose teacher is not available provided that:
- a) *in schools with an average daily enrolment greater than 222 pupils a teacher other than a supply teacher shall not be required to provide such cover after the second day on which a teacher is absent or otherwise not available or from the first day if the fact that the teacher would be absent or otherwise not available for a period exceeding 2 days was known to and agreed by the employing authority in advance;*
 - b) *in schools with an average daily enrolment of 222 pupils or less a teacher other than a supply teacher shall not be required to provide such cover after the first day on which a teacher is absent or otherwise not available or from the first day if the fact that the teacher would be absent or not otherwise available for more than 1 day was known to and agreed by the employing authority in advance;*

¹ The Teachers' (Terms & Conditions of Employment) Regulations (Northern Ireland) 1987, Schedule 3, Paragraphs 4 (a), (b) & (c).

- c) *In schools with a complement of 1, 2 or 3 teachers and in nursery units in primary schools, a teacher other than a supply teacher shall, notwithstanding heads (a) and (b), not required to provide such cover”.*

2.2 In addition, the professional duties of a Principal include “ensuring that the duty of providing cover for absent teachers, as set out in paragraph 3 (9) of Schedule 3 is shared equitably among all teachers in the school, taking account of their teaching and other duties”² and “participating, to such extent as may be appropriate having regard to his other duties, in the teaching of the pupils at the school, including the provision of cover for absent teachers”³.

3. Terminology

3.1 The term ‘cover’ refers to any occasion where the teacher normally responsible for teaching the class is absent and a teaching colleague is required to teach the class. Cover therefore is included within the teaching limit of 25 hours in any week in a primary school or special school and 23.5 hours in any week in a secondary school, as specified under the 1987 Regulations.⁴

3.2 The term absence refers to a situation where the teacher normally responsible for teaching a particular class is absent from the classroom during the times they have been timetabled to teach. The absence could be for a variety of reasons, including internal and external activities as well as sickness and could be long or short term.

3.3 Short Term Absence is defined as follows:

- absences known in advance 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.
- It is expected in these circumstances that cover will be undertaken by a qualified teacher.

3.4 **Teaching** occurs when a qualified teacher delivers a lesson to pupils who are engaged in activities which contribute to their active learning. Only teachers can carry out specified work.⁵

3.5 **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,

² Ibid Schedule 1 Paragraph 4 (3)(b).

³ Ibid Schedule 1 Paragraph 4 (23).

⁴ Ibid, Schedule 3 Paragraph 4 (c).

⁵ Ibid, Schedule 3 Paragraph 3 (1)(a), (b) & (c) sets out specified work as

- planning and preparing lessons for pupils to follow
- delivering lessons to pupils
- assessing progress and attainment
- reporting on progress and attainment.

arrangements for the arrival and departure of pupils, bus supervision, school assembly, examinations etc.

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.

4. Allocation of Work

4.1 It is recommended that the following guidance is adhered to.

4.2 Where an absence is planned, it is expected that the teacher will provide details of the work to be undertaken by pupils during cover lessons. In the case of unplanned absence the teacher's planning notes will provide an indication of the work being undertaken by pupils. If this is not possible, such information will be provided by the appropriate coordinator or Principal.

5. Limits of Cover Allocation

5.1 It is agreed by the parties that cover arrangements are a necessary part of school life. Schools will not oblige teachers to exceed the maximum teaching hours (23.5 in secondary schools, 25 hours in primary and special schools) in any week, taking into consideration any time allocated for management responsibilities of teachers and for planning, preparation or assessments. Schools should be cognisant of the significant workload required of Newly Qualified Teachers (NQTs) as part of their Early Professional Development (EPD). Therefore it is recommended NQTs, employed on long term or permanent contracts, should only be required to undertake cover in exceptional circumstances and this should be reflected in the School Cover Policy.

6. Cover Strategies

6.1 In dealing with short term absences Principals will make decisions regarding the cover of absent colleagues based on:

- the extent to which continuity of learning can be maintained;
- the length of time the pupils would be working without a qualified teacher;
- the particular needs of the class concerned;
- the skills and experience of the teacher concerned.

Such arrangements will include:

- Compositing of classes providing this is for a short period and does not exceed Departmental guidance on class size;
- Employment of a teacher from the Northern Ireland Substitute Teacher Register (NISTR);
- Utilisation of Classroom Assistants or other non teaching staff, in a supervisory capacity, in emergency situations or exceptional circumstances only, where the absence is unexpected and for a short period of time;
- Use of teaching staff from within the school to cover classes.

6.2 In the event of a period of long term absence, the school's normal approach will be as follows:

- Short term arrangements for days 1 and 2;
- Use of floating teacher – where available;
- Employment of a teacher from the Northern Ireland Substitute Teacher Register (NISTR);
- Where appropriate a fixed term appointment will be made (particularly suitable for maternity).

7. Responsibility

7.1 Arranging cover is a key element of a school's whole approach to providing high quality education for all pupils in the absence of teaching staff.

7.2 **Board of Governors:** It is the Board of Governors' responsibility to ensure that appropriate arrangements for providing cover are in place.

7.3 **The Principal:** The Principal is responsible for providing and operating a school cover policy, in consultation with staff and their trade union representatives and ensuring that the distribution of cover is managed fairly and equitably.

8. Disputes

8.1 It is hoped that this guidance and written policy and procedures will avoid disputes in relation to teacher cover. Any teacher who has a concern in respect of cover arrangements should raise the matter, in the first instance with the line manager responsible for cover arrangements or with the Principal. If necessary the teacher should seek support from their recognised trade union to resolve the situation. It is hoped that such issues will be resolved without recourse to formal procedures. In circumstances, however where a teacher is not satisfied with the outcome the Grievance Procedure for Teachers (TNC 2008/3) may be used.