

## Directed time and the 32.5-hour week

The NASUWT maintains that planned and sustainable working hours are essential in order to help schools and teachers plan so that the school day is effectively managed and teachers are able to achieve a satisfactory balance between work and home.

The Union is aware that there are a number of members who will be concerned about the implications of the proposals first announced in the Government's White Paper, *Opportunity for all: strong schools with great teachers for your child*, specifically in regards to the initial intention from September 2023 of a national expectation for schools on the length of the school day.

The Government has recently published its non-statutory **guidance** (July 2023) on the length of the school week, which makes it clear that the Department for Education (DfE) has deferred its deadline to meet this expectation from September 2023 to September 2024, in recognition of the 'pressures facing schools'.

The Union has produced this advice and guidance to ensure that members are aware of their rights and entitlements and are supported during this time.

In England, local authority maintained schools operating according to the School Teachers' Pay and Conditions Document (STPCD) must open for 195 days, of which a classroom teacher can only be directed by the headteacher to work for up to a maximum of 1,265 hours over 195 days of the year. This is calculated on a pro rata basis for part-time teachers.

Of these, a maximum of 190 days involve teaching children and young people. The remaining five days are non-teaching days when teachers may be asked to undertake other duties related to their role as a teacher. These are often known as in-service training (INSET) days. These limits do not apply if you are paid on the leadership range.

You should be provided with a directed time budget at the beginning of each academic year based around the school day, which identifies the number of hours you are being directed to undertake the professional duties of a teacher. These include your timetabled teaching, as well as any meetings and duties such as parental consultations, planning, preparation and assessment (PPA) time, leadership and management time (as appropriate) and meetings. (See the links below for further details regarding directed time calendars.)

Whilst schools have the autonomy to decide the structure and duration of their school day, including the start and finish times, as well as school sessions and breaks, schools should continue to employ teachers in accordance with the provisions of the STPCD, including the provisions relating to teachers' days of work, working time and duties.

Indeed, the guidance issued by the DfE makes it clear that maintained schools '*must have regard to the School Teachers' Pay and Conditions Document. In particular, teachers in maintained schools can only be directed by the headteacher for a maximum of 1,265 hours per year. Any additional teacher time needed to deliver a longer school week will need to be incorporated into a school's directed time allocations*'.

Furthermore, directed time must be allocated reasonably throughout the days you are contracted to work. You do not have to be directed to work right up to the limit of 1,265 hours, so schools should not see this as aspirational in regards to looking to extend the length of the school day.

Once you have been provided with your directed time budget/calendar, you should not be directed to undertake other duties by your employer.

If you work in a local authority maintained school in England, the provisions around directed time are statutory and your school cannot choose to ignore them.

Some academies may operate terms and conditions which do not adhere to the STPCD. They are therefore able to set a different directed time calendar, specifying working time which may be in excess of the 1,265 hours and 195 days a year identified in the STPCD.

However, the advice and guidance from the DfE makes it clear that schools should take into account your contract of employment, which should define your working time and should not be varied without consultation and agreement.

In addition, the advice and guidance from the DfE references the need for academies and free schools to give due consideration to the impact of any changes to the length of the school day on teacher workload.

You can find further details of the allocation of directed time, including the NASUWT calculator, on our [Directed Time](#) page.

The Union has also produced a specific [directed time calendar policy checklist](#) to assist and support you in securing your rights and entitlements.

### **Expectation on the minimum length of the school week**

The advice from the DfE confirms that the 32.5-hour minimum school week includes lunch times and other break times, as well as teaching time and any enrichment activities that all pupils are expected to attend.

It is important to note that the expectation that schools will have a school week of at least 32.5 hours is not a legal requirement. Currently, there are no legal requirements on the length of the school day, and the DfE has not indicated that it plans to introduce any such requirements.

Whilst this is the case, the DfE's non-statutory July 2023 advice states that:

*'Any mainstream state-funded school that does not yet meet the minimum expectation of 32.5 hours should be working towards doing so by September 2024 at the latest.'*

In addition, the same advice and guidance references that schools that are below the 32.5-hour week will want to think about how extra time is used in the context of their school improvement priorities.

Furthermore, the [Ofsted inspection handbook](#) (paragraph 221) states that:

*'Where it is clear that increasing the overall time pupils spend in school (to at least 32.5 hours per week) would improve the quality of education, inspectors will reflect this in their evaluation of the school, and in the inspection report. If a school is not meeting the minimum expectation, and this impacts on the quality of education, inspectors will expect schools to set out a clear rationale for this and understand what impact it has on the quality of education. They will also want to understand what plans are in place to meet the minimum expectation.'*

The aforementioned advice and guidance does make it clear that: *'Ofsted are mindful that some schools will be transitioning towards meeting the minimum expectation over the period to September 2024.'*

It is clear that the issue of whether or not a school is meeting the minimum expectation will only arise in circumstances where inspectors determine that any failure to do so is having a negative impact on the quality of education. Accordingly, when it is clear that a small increase in the length of the school day implemented in order to meet the expectation would have no impact on the overall quality of educational provision, inspectors should not draw negative conclusions in situations where a school is not doing so.

Where a school is proposing to change the length of the school day, the NASUWT would insist that any changes must be done in full consultation with the school workforce and their recognised trade unions, as well as parents and the local community, recognising the potential impacts on those affected.

Indeed, the guidance from the DfE makes it clear that consultation should take place with key stakeholders, including *'internal and external staff, parents, carers, pupils, feeder schools and childcare providers'*.

The advice goes on to reference the fact that schools should consider responses from the consultation process and make decisions on any changes needed to the school timetable, including informing all key stakeholders of intended changes to the school timetable, with adequate notice.

In addition, the DfE advice expects schools to act *'reasonably, giving sufficient notice, and consider the impact on those affected, including pupils, staff, and parents and carers'*.

Furthermore, the DfE advice usefully references consultation principles that schools should be aware of when ensuring that any consultation is fair. This includes, but is not limited to, the fact that consultations should be informative (including validated impact assessments), last for a proportionate amount of time, and take account of the groups being consulted (e.g. staff in the school), as well as enabling appropriate scrutiny.

Schools and school leaders will therefore need to be cognisant of this when seeking to engage with key stakeholders, including staff and recognised trade unions, such as the NASUWT.

In certain circumstances, depending on the nature of the changes proposed, it may be the case that the school is obliged to both consult and negotiate (with a view to seeking agreement) on any such proposals.

This should include the school being asked to undertake an equality impact assessment to show that any proposals do not have a disproportionate impact on certain groups of staff or pupils with protected characteristics.

Any plans to change the length of the school day should be workload impact assessed to ensure that they will not result in increased workload burdens for teachers and leaders. This assessment must include an evaluation of any potential implications in respect of directed time. Any changes that are likely to have adverse workload implications will not be acceptable to the NASUWT.

If your school is seeking to change the school day without adhering to the advice and guidance contained within this briefing, or you are unsure whether a limit applies to your working time, then contact your School Representative or Local Association, who will be best placed to address the issue with your school in the first instance.



**talk  
to us**

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