



SIXTH-FORM COLLEGES
ACTION SHORT OF STRIKE ACTION INSTRUCTIONS (ENGLAND)
(From 18 September 2023)

The NASUWT National Action Committee is initially instructing members to limit their working time by working to rule in the following ways, which are within and subject to their contractual obligations (including teacher and headteacher/principal members):

1. Refuse to undertake inappropriately directed duties outside college session times

Members shall not undertake directed duties (including attendance at meetings or training) outside college session times on weekdays in circumstances that would require the teacher to:

- a) perform duties specified by their employer for more than 1,265 hours in the college year (pro rata for teachers working part time); or
- a) exceed the 48-hour working time limit (Working Time Regulations 1998).

If it is unclear whether the time to perform the duty in question is within the 1,265 hours, members should request their employer to provide a copy of the directed time calendar and perform the duty only if their employer confirms to the member that the time is included within the 1,265 hours of directed time.

2. Refuse to be directed to undertake extracurricular activities

Members shall refuse to be directed to undertake extracurricular activities, unless these have been specified and allocated within the annual 1,265 hours of directed time (pro rata for teachers working part time). If it is unclear whether the time to perform the duty in question is within the 1,265 hours, members should request their employer to provide a copy of the directed time calendar and perform the duty only if their employer confirms to the member that the time is included within the 1,265 hours of directed time. Where members volunteer freely to undertake extracurricular activities and have not been placed under pressure to do so, the action short of strike action instructions are not intended to prevent those activities from continuing.

3. Refuse to be directed to undertake any work-related tasks or activities during their lunch break

Where a member is required to be available for work for more than one college session on any day, members will take one break of reasonable length each day (for at least 30 minutes) either between sessions or between the hours of 12 noon and 2.00pm. Members shall refuse to be directed to undertake any activities during their lunch break.

4. Refuse to be directed to undertake work-related tasks or activities on weekends or bank holidays

Members shall refuse to undertake directed work-related tasks or activities, including planning, marking, sending/responding to work-related emails, on weekends or bank holidays, or to the extent that would deprive the teacher of a satisfactory work/life balance, unless the teacher's contract expressly provides for this. Where the member's contract requires the teacher to work on a Saturday, this should be included in the calculation of the teacher's 1,265 hours of directed time.

5. Refuse to be directed inappropriately to cover for absence

Cover for absence is not an effective use of teachers' time. With the exception of teachers who are employed wholly or mainly for the purpose of providing cover, members will refuse to cover for absent colleagues:

- a) after the teacher who is absent or otherwise not available has been so for three or more consecutive working days;

- b) where the fact that the teacher would be absent or otherwise not available for a period exceeding three consecutive working days was known to the college two or more working days before the absence commenced; or
- c) the member is a full-time teacher at the college but has been assigned by the Principal in the timetable to teach or carry out other specified duties (except cover) for less than 75% of those hours in the week during which students are taught at college.

6. Refuse to undertake routine administrative and clerical tasks

Members will refuse routinely to participate in administrative, clerical and organisational tasks which do not call for the exercise of a teacher's professional skills and judgement

Voluntary activities

The action short of strike action is designed specifically to tackle the issues of excessive teacher workload. Where members volunteer freely to undertake extracurricular activities and have not been placed under pressure to do so, the action short of strike action instructions are not intended to prevent these from continuing.

Extracurricular activities include college teams, music/drama productions and clubs.

Where members make a professional judgement and volunteer freely to undertake any activities outside their directed time, these may continue.

Where a member intends to withdraw from activities that they have previously volunteered to undertake, they should inform the principal as soon as possible.

ANNEX A

Advice on directed time

Working hours are essential in order to help colleges and teachers plan so that the college day is effectively managed and teachers are able to achieve a satisfactory balance between work and home.

A teacher employed full-time must be available for work for 195 days, of which:

- 190 days must be days on which the teacher may be required to teach pupils and perform other duties; and
- five days must be days on which the teacher may only be required to perform other duties.

The days that a teacher should be available to work must be specified by the employer or the principal.

A teacher employed full-time must be available to perform such duties at such times and such places as may be specified by the principal for 1,265 hours. Those hours must be allocated reasonably throughout those days in the college year on which the teacher is required to be available for work.

The hours you can be directed to work should be set out as part of your terms and conditions when you start work. This is referred to as directed time.

Your college should publish a directed time calendar which should not be changed unless there are exceptional circumstances and following consultation with staff and unions.

Any work undertaken outside the teacher's directed time must be determined by the individual teacher (not the college) and it is up to you to exercise your professional judgement regarding this.

Your college's directed time calendar should reference the time allocated to undertake the following duties and activities:

- **Teaching**

The teacher's timetabled teaching commitments must be specified in the directed time calendar.

- **Registration**

Where the teacher is required to undertake daily registration of pupils, such time should be counted as part of the teacher's directed time hours.

- **Assemblies**

Assemblies should count as part of your directed time budget.

- **Morning and afternoon breaks**

Morning and afternoon breaks which are identified on your timetable count as part of your total hours of directed time.

Whilst it is likely that only a small number of staff undertake a duty on a rota basis, it is the case that all staff can be asked to be available for work should such a situation arise which necessitates this (e.g. an emergency).

- **Lunchtime supervision**

Directed time should not include lunchtime supervision as you cannot be directed to work during your lunch break.

- **Meetings**

The days of the week on which meetings will be held before, during and after college should be identified and calculated on a calendar of meetings.

- **Parental consultation**

Teachers should only attend one parental consultation per year for each year group which counts towards directed time.

The time and dates of the meetings should be identified in the calendar of meetings.

- **Trapped time**

If there is any gap between the end of the college day and the start of a meeting where there has not been sufficient time for a teacher to go home and return, then this is referred to as 'trapped time'.

This time should be counted as directed time.

- **Part-time teachers and directed time**

Part-time teachers are entitled to have their working hours calculated on a pro rata basis.

