

TEACHERS' JOB SHARE SCHEME

1. INTRODUCTION

This scheme has been agreed between the Management and Teachers' Side of the Northern Ireland Teachers' Negotiating committee and defines the policy which applies to job sharing arrangements for teachers in schools.

This policy should be read in conjunction with the Notes of Guidance shown in Appendix A.

The Scheme reflects the commitment of the Council for Catholic Maintained Schools, the other Employing Authorities and Boards of Governors to equality of opportunity.

2. THE LEGAL CONTEXT

In considering applications and implementing arrangements for job sharing Boards of Governors should be aware of their obligations under equality of opportunity legislation, including:

The Sex Discrimination (NI) Order 1976, as amended 1988
The Equal Pay Act 1970
The Disability Discrimination Act 1995
The Race Relations order (NI) 1997 and
The EC Equal Treatment Directive 1976/207

3. DEFINITION

Job sharing is a method of working where two teachers share one full-time post. Job sharing is different from part-time work in that although the hours worked by each teacher are part-time, together the teachers take joint responsibility for the full-time post and are regarded as a full-time unit.

4. OBJECTIVES

The objectives of job sharing are:-

- i. To retain the skills and expertise of teachers and protect the school's investment in recruitment and in-service training;
- ii. To develop greater flexibility in working patterns;
- iii. To enable teachers to combine personal goals and circumstances with a continuing career.

5. ELIGIBILITY

Applications for job sharing will be considered from teachers employed in a full-time permanent capacity who have completed an aggregate of one full academic year's service. However, in exceptional circumstances, a Board of Governors may wish to consider an application from a teacher who has less than one year's service. In assessing each application the Board of Governors will first consider:-

- i. The needs of the school;*
- ii. The welfare and education needs of the pupils.*

Having determined that the post is suitable for job sharing the Board of Governors will be required to give consideration to the needs of the prospective job sharer(s).

Provided the requirements of the full-time post are being met, the working arrangement should be agreed with the Principal and approved by the Board of Governors.

6. PROMOTION

Permanent teachers employed on a job sharing contract are eligible to apply for posts of responsibility on the same basis as permanent full-time teachers.

7. TERMINATION OF EMPLOYMENT

Teachers involved in a job sharing arrangement are required to give the appropriate period of notice to terminate employment as stated in the contract of employment.

8. REVIEW

The Employing Authorities, in consultation with the recognised Teachers Unions, will monitor the effectiveness of this Scheme and keep it under review.

JOB SHARE SCHEME FOR TEACHERS

Notes of Guidance for Boards of Governors and Principals

1. INTRODUCTION

- 1.1 The following notes are intended as guidance only. Advice on the Scheme is available from the CCMS.
- 1.2 The notes of guidance are provided to assist principals and Boards of Governors in both the consideration of application from teachers for Job Sharing and the implementation of a Job Sharing Scheme. The Notes of Guidance provide a framework for a consistent and fair application of the Scheme.

2. THE LEGAL CONTEXT

In considering applications for job sharing and arrangements for its implementation, Boards of Governors should recognise that legal action may be taken by any individual under the following legislation:

The Sex Discrimination (NI) Order 1976, as amended 1988

The Equal Pay Act 1970

The Disability Discrimination Act 1995

The Race Relations order (NI) 1997 and

The EC Equal Treatment Directive 1976/207

3. ADVANTAGES OF JOB SHARING

- 3.1 The implementation of an effective job sharing scheme can provide advantages to management, staff and pupils in the following ways:
 - Retention of qualified and experienced teachers who wish to work fewer hours
 - Optimising levels of attendance
 - More efficient and effective use of working time
 - Increased range of skills available for particular subject areas/school activities.

4. THE ROLE OF THE COUNCIL FOR CATHOLIC MAINTAINED SCHOOLS

- 4.1 The Council is responsible for the provision of advice and guidance to Boards of Governors, in the interpretation and implementation of Conditions of Service and other agreements of the Teachers' Negotiating Committee which relate to teachers in Catholic maintained schools.
- 4.2 The Council is required to monitor Equality of Opportunity amongst teachers. For this purpose, all documentation which relates to a job share application (including application form(s), minute(s) of Boards of Governors meeting(s) and any letter(s) issued to teacher(s) must be forwarded to your local CCMS office to assist with this process.

5. THE ROLE OF THE BOARD OF GOVERNORS

- 5.1 A Board of Governors has a responsibility to consider each application for job sharing carefully, by the application of relevant objective criteria.
- 5.2 Case law has shown that industrial tribunals may regard a refusal to grant a request for job sharing as discriminatory unless there are clear and justifiable reasons for the decision which the employer can demonstrate to the satisfaction of the tribunal.
- 5.3 In circumstances where a Board of Governors is considering the refusal of an application for job sharing it is essential that it seeks advice from the Council before it notifies any teacher that a post is not suitable for job sharing.

- 5.4 The overriding responsibility of the Board of Governors is to act reasonably in relation to applications for job sharing.

6. APPLICATION FOR JOB SHARING

- 6.1 A job share application may originate in one of the following ways:-

- A teacher may apply to the Board of Governors to be considered for a job sharing arrangement.
- Two teachers may apply to the Board of Governors to share a post.

Information notes and application forms for those interested in job sharing are contained in Appendix B, and should be issued to teachers by the school, upon request.

- 6.2 Applications for job-share arrangements should be forwarded to the board of Governors not later than 1 January to commence job sharing in the next school year. In exceptional circumstances, such as the death of a close relative or the sudden illness of a family member, or following maternity leave, applications received after 1 January should be considered.

7. CONSIDERATION OF APPLICATION

Stage 1 - Suitability of the post

- 7.1 When considering application(s) for job sharing the Board of governors should give cognisance to the objectives of the Scheme and the advantages of job sharing as detailed in paragraph 3 of this document.
- 7.2 When assessing the suitability of the post, consideration should be given to:-
- (i.) the needs of the school, eg:- how the duties and responsibilities of the post might be defined and divided; and the qualifications, experience, knowledge and skills required for the effective performance of the duties of the post;
 - (ii) the welfare and educational needs of the pupils.

There may also be other factors relevant to the circumstances of each case.

Having determined that the post is suitable for job sharing the Board of Governors will be required to give consideration to the needs of the prospective job sharer(s).

It is important that the decision in relation to the variability of a job sharing arrangement is based on objective measures which are able to be justified and defended.

In circumstance where the Board of Governors, **after seeking advice from CCMS**, determines that a post is not suitable for job sharing it must record the reasons for its decision and a letter should be sent to the applicant(s) setting out the grounds on which their decision was based. A copy of the letter should be forwarded to your local CCMS Office.

7.3 Application from one permanent teacher to job share

Where it is determined that the post is suitable for job sharing the Board of Governors should advise the teacher that his/her application is accepted subject to a suitable partner being found.

The Board of Governors should then seek to identify a suitable partner in accordance with the following procedure:

7.3.1 Internal

The post should be trawled within the school. The trawl notice should include the essential and desirable qualifications, experience, knowledge and skills required.

Applications should be made by means of an appropriate application form.

Following the closing date, where one or more applications have been received, the Board of governors should, after short listing, interviews any candidate who meets the essential criteria for the post. Applicants who are unsuccessful should be informed of the outcome of the interview.

If a suitable partner for a job sharing arrangement has been selected by this process, the Principal should notify the local CCMS Office, submitting the relevant documentation. Effective working arrangements should be agreed, in consultation with the Principal, and approved by the Board of Governors, prior to the commencement of job share.

Note: where a permanent job vacancy is trawled in the school, applications will be accepted only from permanent teachers.

7.3.2. External

In circumstances where a suitable job share partner is not identified through an internal trawl, steps should be taken to advertise the post externally, in accordance with the council's normal recruitment and selection procedures.

When a suitable partner for a job sharing arrangement has been selected, the Principal should notify the local CCMS Office, submitting the relevant documentation. Effective working arrangements should be agreed, in consultation with the Principal and the teacher(s), and approved by the board of Governors prior to the commencement of the job share.

If a suitable job share partner has not been identified by internal trawl or by external advertisement, the permanent teacher who applied to job share should be informed in writing that the reason not to accede to the request was the inability to find a suitable partner. A copy of this letter together with Form TJS/98 should be forwarded to the local CCMS Office.

7.4 Application from two permanent teachers to job share a post

The Board of Governors, having satisfied that the post is suitable for job sharing, should determine that the qualifications, experience, knowledge and skills of the teachers concerned meet the needs of the post.

Where the job sharing arrangements has been agreed, the relevant documentation should be forwarded to the local CCMS Office. Effective working arrangements should be agreed, in consultation with the Principal and the teachers and approved by the Board of Governors prior to the commencement of the job share.

Where the Board of governors, after seeking advice from the Council, considers that the application should not be granted, both teachers should be advised in writing setting out the grounds for the decision. A copy of the letter together with Form TJS/98 should be forwarded to the local CCMS Office.

STAGE 2 - Working Arrangements

- 7.5 Provided the requirements of the full-time post are being met, the working arrangements should be agreed between the Principal and the teacher(s) concerned and approved by the Board of Governors.

7.6 Division of Working Hours

There are a variety of ways in which job sharers choose to divide up the working week and some of the more common include:

- **Split day** - one sharer works mornings and one sharer works afternoon.
- **Split week** - each sharer works two full days and one half day each.
- **Two days one week and three days the next** - the sharers alternating to cover the week.
- **Alternate week** - one sharer works one week while the other works the next week.
- **Unequal split of hours** - the sharers split the hours on an unequal basis, eg., one sharer always works two days, the other three.

The above is not intended to be a comprehensive list as other arrangements may be more suitable. However, the aggregate hours of the job sharers should not exceed the 32.4 hours which represents the contractual hours required of a teacher per working week.

Where the Board of Governors considers and can justify that the hours of work or working pattern requested by the teacher(s) cannot be accommodated, alternative arrangements should be considered.

7.7 **Liaison Between Job Sharers**

To ensure the effective performance of the duties of the post the principal will determine that liaison between the job sharers is planned and scheduled into the working arrangements and will allocate sufficient time for liaison purposes.

It is the responsibility of the job sharers to ensure that effective liaison takes place.

7.8 **Non Class Contact Time**

The proportion of non-class contact time should be allocated to each job-sharer on a pro-rata basis, in accordance with the agreed terms and conditions of employment for teachers.

8. **ALLOCATION OF RESPONSIBILITY POINTS**

- 8.1 In the event that the teacher(s) requesting job sharing is holding a responsibility point(s), a number of options is available.
- 8.2 The sharer holding the responsibility point(s) may be allowed to retain the full value of the point(s). In this case the Board of Governors should be satisfied that the post of responsibility is able to be effectively carried out within the available working hours.
- 8.3 The sharer holding the responsibility point(s) may be allowed to retain a proportion of the value of the point(s). In this case the Board of Governors may decide to re-allocate via internal transfer the remaining proportion of the responsibility point(s).
- 8.4 In circumstances where a Board of Governors, after consultation with the Council, determines that arrangements as detailed in paragraphs 8.2 and 8.3 above are not suitable the teacher will be advised accordingly and the post of responsibility, if necessary, filled in accordance with the appropriate procedures for appointment to promoted posts.

9. **APPLICATIONS FROM JOB SHARERS FOR POST OF RESPONSIBILITY**

- 9.1 Teachers employed on a job sharing contract are eligible to apply for posts of responsibility on the same basis as a full-time teacher.

9.2 **Types of Applications**

The Board of Governors may receive:

- i. An application from a sharer to undertake the totality of the duties of the post of responsibility; or
- ii An application from two teachers to undertake the duties of the post of responsibility.

In these circumstance the Board of Governors should take the following steps.

9.3 Stage 1 - Suitability of the Post

9.3.1 The Board of Governors should meet to determine if the post is:

- i able to be fully and effectively carried out within the available hours of one job share arrangements; and/or
- ii suitable to be allocated on a proportional basis.

9.3.2 The Board of Governors should apply the principles outlined in Section 7.1 and 7.2 of the Notes of Guidance when arriving at a determination in relation to the above.

9.3.3. Where the Board of Governors, after seeking advice from the Council, determines that the post is not able to be fully carried out within the available working hours of one job share arrangement it should record the reasons for its decision. The Board of Governors should advise the applicant(s) in writing, setting out the grounds on which the decision was based. A copy of the letter should be forwarded to the local CCMS Office.

9.3.4 Where the Board of Governors determines that the post of responsibility is suitable for allocation on a proportional basis or able to be carried out within the available job share arrangement the applicant(s) should be advised that their application will be considered under the appropriate procedure for appointment to promoted posts.

9.4 Stage 2 - Selection Procedure

9.4.1. The allocation of responsibility point(s) should be made in accordance with the appropriate promotions procedures except in the circumstances as detailed below.

9.4.2 In circumstances where a joint application share is made and on the applicants is deemed the most suitable candidate from all candidates, but the partner is deemed either unsuitable or is not the next most suitable candidate, the following action should be taken:

- i. the recommended candidate should be formally notified, in writing, that they were the most suitable candidate;
- ii the selection Panel should formally offer, in writing, the reserve candidate(s) in descending order the opportunity to undertake the post of responsibility on a job share basis;
- iii in the event that no other candidate(s) is willing to enter into a job share arrangement the Board of Governors will be required in the first instance to trawl the other half of the post;
- iv if an internal trawl fails to identify a suitable partner the original applicant should be advised in writing that it is not possible to offer this post of responsibility on a job share arrangement.
- v. the board of governors in these circumstance should offer the post to the reserve candidate on a full-time basis.

10. COVER FOR JOB SHARERS

10.1 Where one partner is unable to work eg due to illness or maternity leave, the partner may be offered the opportunity to cover the hours of the absent sharer. Where the partner is unable to cover the hours the normal arrangements for recruiting part-time staff will apply.

11 RESIGNATION

11.1 When a job sharer resigns the remaining job sharer may be offered the opportunity to return to full-time work on a temporary basis, pending the appointment of suitable replacement.

On receipt of the resignation of the original sharer, the remaining job sharer will be given notice by the Board of Governors of the requirement to return to full-time employment after three calendar months or four calendar months where August or September form part of the notice period (ie the first day of any month to the last day of any month), if a suitable replacement partner is not identified using procedures in Section 7.3.

12 **RESUMPTION OF FULL-TIME WORKING**

- 12.1 Teachers job sharing shall have no automatic right to return to full-time employment, except in circumstances relating to temporary cover in Section 10.
- 12.2 when a vacancy occurs in the school the teacher may apply for the post under the appropriate procedure for recruitment and selection.

JOB SHARE SCHEME

Information Notes for Teachers

1. GENERAL INFORMATION

The Teachers' Job Share Scheme has been agreed between the Management and Teachers' Sides of the Northern Ireland Teachers' Negotiating Committee and reflects the commitment of the Employing Authority and Boards of Governors to equality of opportunity.

2. ELIGIBILITY

All full-time permanent teachers who have successfully completed an aggregate of teaching service equivalent to one full academic year are eligible to apply for job share. In exceptional circumstances a Board of Governors may consider an application from a teacher who has less than one full academic year's service.

3. CONSIDERATION OF APPLICATIONS

3.1 When assessing the suitability of the post, consideration will be given to:-

- i. The needs of the school, eg: how the duties and responsibilities of the post might be defined and divided; and the qualifications, experience, knowledge and skills required for the effective performance of the duties of the post;
- ii. The welfare and educational needs of the pupils.

There may also be other factors relevant to the circumstances of each case.

Having determined that the post is suitable for job sharing the Board of Governors will be required to give consideration to the needs of the prospective job sharer(s).

4. WORKING ARRANGMENTS

4.1 There are a variety of ways in which job sharers may choose to divide up the working week. Some of the more common include:

- **Split day** - one sharer works mornings and one sharer works afternoon.
- **Split week** - each sharer works two full days and one half day each.
- **Two days one week and three days the next** - the sharers alternating to cover the week.
- **Alternate week** - one sharer works one week while the other works the next week.
- **Unequal split of hours** - the sharers split the hours on an unequal basis, eg one sharer always works two days, the other three.

The above is not intended to be a comprehensive list as other arrangements may be more suitable. However, the aggregate hours of the job sharers should not exceed the 32.4 hours which represents the contractual hours required of a teacher per working week.

4.2 Teachers should be aware that the working pattern must be agreed in consultation with the principal and with the approval of the Board of Governors.

4.3 To ensure the effective performance of the duties of the post the principal will determine that liaison between the job sharers is planned and scheduled into the working arrangements and will allocate sufficient time for liaison purposes.

It is the responsibility of the job sharers to ensure that effective liaison takes place.

5 ALLOCATION OF REPSONBILITY POINTS

5.1 If a teacher makes an application to job share and already holds one point or more for a post of responsibility, a number of options will be considered by the Board of Governors:-

- 5.1.1 to allow the teacher to retain the full value of the responsibility point(s).
- 5.1.2 to allow the teacher to retain a proportion of the value of the responsibility point(s)
- 5.1.3 to re-allocate the responsibility point(s).

5.2 The Board of Governors will notify the teacher of its decision in writing.

6. APPLICATIONS FOR POSTS OF RESPONSIBILITY

6.1 Teachers employed on a job sharing contract are eligible to apply for posts of responsibility on the same basis as permanent full-time teachers.

6.2 A job sharer may make application on an individual basis to carry out the full range of duties or make a joint application with another teacher.

6.3 The Board of Governors will determine:-

6.3.1. If the duties of the post are able to be fully and effectively carried out within the available hours of a job share arrangement;

or

6.3.2. That the post is suitable to be allocated on a proportional basis;

or

6.3.3. That the duties of the post can only be effectively carried out by a full-time member of staff.

7 FLEXIBILITY BETWEEN JOB SHARERS

7.1 A job share teacher may be required to increase his/her working hours temporarily in circumstances where the job share partner is unable to work due to illness, in-service course attendance etc. It is recognised, however, that this would be for emergency, short-term situations.

7.2 principals and Board of Governors will be aware that it may be difficult for a teacher to re-arrange the agreed working pattern.

7.3 In circumstances where a job share partner will be absent for a longer period, eg, maternity leave, the teacher may be offered the opportunity to return, temporarily, to full-time working.

7.4 where the partner is unable to cover the hours, the normal arrangements for recruiting temporary part-time staff will apply.

8 RESIGNATION OF A JOB SHARE PARTNER

8.1 When a job sharer resigns, the job share partner may be offered the opportunity to return to full-time work on a temporary basis, pending the appointment of a suitable replacement.

8.2 On receipt of the resignation of the original partner, the remaining job sharer will be given notice of the requirement to return to full-time employment after three calendar months (ie, the first day of any month to the last day of any month), if a suitable replacement is not identified by internal trawl or public advertisement. Where August or September form part of the resignation period 4 full calendar months' notice will be given.

9 RESUMPTION OF FULL-TIME WORKING

9.1 Teachers job sharing shall have no automatic right to return to full-time employment.

- 9.2 when a vacancy occurs in the school the teacher may apply for the post under the appropriate recruitment and selection procedures.

10 SALARY

- 10.1 The spine point for a job-share teacher will be determined in accordance with the Teachers' Salaries Regulations (Northern Ireland) 1993 as amended.
- 10.2 Incremental credit will be awarded in accordance with the Teachers' Salaries Regulations on completion of at least 26 weeks in aggregate of satisfactory teaching service in each academic year (1 September - 31 August).
- 10.3 Salary will be paid at the end of the month along with full-time teachers. Pro-rata salary is calculated as follows:-

$$\frac{\text{Full Salary per Annum}}{32.4} \times \text{hpw} = \text{Annual Salary} \div 12 = \text{Monthly Gross}$$

11 SUPERANNUATION

A job share teacher will be eligible for membership of the Teachers' Superannuation Scheme.

Teachers should seek the advice of the Department of Education's Teachers Superannuation Branch for further information on this matter.

12. CONDITIONS OF SERVICE - JOB SHARE TEACHERS

Job Share teachers continue to work under the Teachers' Terms and Conditions of Service Regulations 1987 (as amended). Any variation to the contract of a job share teacher will be subject to consultation.

13 ABSENCE DUE TO ILLNESS

- 13.1 The agreed conditions for salary payment to teachers who are absent due to illness will be in accordance with the arrangements laid down in the Teachers' Salaries Regulations (Northern Ireland) 1993 (as amended).
- 13.2 Teachers will be expected to follow the agreed procedures for reporting absence to the Principal and the submission of medical certificates.

14 MATERNITY ABSENCE

DENI Circular 1996/5 gave effect to the revised Teachers' Occupational Maternity Scheme and is applicable to job share teachers.

15 LEAVE OF ABSENCE

An application for leave of absence from a job share teacher (other than maternity and sick absence) will be considered by a Board of Governors and leave granted with or without pay as if employed in a full-time permanent capacity.

16 OUTSIDE EMPLOYMENT

It is not permissible for job share teachers to be engaged in external work (including service in another school) without the consent of the relevant body. Permission must be sought in advance and application to undertake work must be submitted, in writing, setting out the reasons for the request.

17 **TERMINATION OF SERVICE**

A Teacher wishing to resign their post must do so, in writing, to the Principal and Board of Governors giving the notice required as agreed with the negotiating body, ie, 3 full calendar months (a calendar month is defined as the first day of any month to the last day of any month). This is except where August or September form part of the notice period when 4 full calendar months' is required.

18 **MAKING APPLICATION**

- 18.1 Any application for job share must be made on Form TJS/98 and submitted to the Board of Governors no later than 1 January prior to the school year in which the teacher wishes to commence the job sharing. In exceptional circumstances, such as the death of a close relative or the sudden illness of a family member, or following maternity leave, applications received after 1 January should be considered.
- 18.2 If a teacher has identified a job share partner from within the school, that teacher should also complete an application form.

19 **CONSIDERATION OF JOB SHARE APPLICATIONS**

- 19.1 The Board of Governors will give careful consideration to each job share application using relevant objective criteria.
- 19.2 The Board of Governors will communicate, in writing, to the teacher either:-
- i. that the application is successful;*
 - or**
 - ii. that the application is unsuccessful.*

In circumstances where a Board of Governors is unable to accede to the request the reasons for the refusal will be given in writing.

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