

TEACHERS' JOB SHARE SCHEME

1. INTRODUCTION

This Scheme has been agreed between the Management and Teachers' Sides of the Northern Ireland Teachers' Negotiating Committee and defines the policy which applies to job sharing arrangements for teachers, including principals and vice principals, in schools.

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

The Scheme reflects the Employing Authorities' and Boards of Governors' commitment 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:

Equal Pay Act (NI) 1970 (as amended);
Sex Discrimination (NI) Order 1976 (as amended);
Disability Discrimination Act 1995 (as amended);
Race Relations (NI) Order 1997 (as amended);
Fair Employment and Treatment (NI) Order 1998 (as amended).
Part Time Workers Less Favourable Treatment Regulations 2000 (as amended);
Employment (NI) Order 2002;
Flexible Working (Procedural Requirements) Regulations 2002;
Employment Equality (Sexual Orientation) Regulations (NI) 2003;
Employment Equality (Age) Regulations (NI) 2006.

3. DEFINITION

Job sharing is a method of working where 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. Job Share arrangements can be permanent or temporary for a maximum of two years.

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, including principals and vice principals, who have completed 26 weeks continuous service at the date of application. Where an application is from a principal, the Chair of the Board of Governors will manage the Scheme.

6. **ASSESSING THE APPLICATION**

In assessing each application the Board of Governors will consider both the advantages to and needs of the school, refer to paragraphs 3 and 7 of the Notes of Guidance for Relevant Bodies.

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, or, in the case of a principal, by the Chair of the Governors.

7. **APPEAL**

In circumstances where a teacher may believe that his/her request has not been properly considered he/she may appeal to a sub-committee of the Board of Governors.

8. **PROMOTION**

Teachers employed on a job sharing contract are eligible to apply for teaching allowances on the same basis as full-time teachers.

9. **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.

10. **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 RELEVANT BODIES

1. INTRODUCTION

- 1.1 The following notes are intended as guidance only. Advice on the Scheme is available from the Employing Authority.
- 1.2 The notes of guidance are provided to assist Principals and Boards of Governors in both the consideration of applications 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

- 2.1 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:

Equal Pay Act (NI) 1970 (as amended);
Sex Discrimination (NI) Order 1976 (as amended);
Disability Discrimination Act 1995 (as amended);
Race Relations (NI) Order 1997 (as amended);
Fair Employment and Treatment (NI) Order 1998 (as amended);
Part Time Workers Less Favourable Treatment Regulations 2000 (as amended);
Employment (NI) Order 2002;
Flexible Working (Procedural Requirements) Regulations 2002;
Employment Equality (Sexual Orientation) Regulations (NI) 2003;
Employment Equality (Age) Regulations (NI) 2006.

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;
 - raise staff morale;
 - improve staff ability to balance home and work responsibilities.

4. THE ROLE OF THE EMPLOYING AUTHORITY

- 4.1 The Employing Authority 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.
- 4.2 The Employing Authority is required to promote and 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 the Employing Authority to assist with this process.

5. THE ROLE OF THE BOARD OF GOVERNORS

- 5.1 The Board of Governors, excluding the appeal sub-committee, has a responsibility to consider actively and carefully each application for job sharing, 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 business reasons for the decision which the employer can demonstrate to the satisfaction of the tribunal. (See paragraph 7 below).
- 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 Employing Authority 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. APPLICATIONS FOR JOB SHARING

- 6.1 A teacher or teachers may apply to the Board of Governors to be considered for a job sharing arrangement.

Information notes and application forms for those interested in job sharing are contained in Appendix B. Copies of the Job Share Scheme and appendices should be issued to those teachers by the school.

- 6.2 Applications for job-share arrangements, specifying the preferred working pattern, should normally be forwarded to the Board of Governors not later than 31 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 31 January should be considered.

- 6.3 All applications should be acknowledged in writing and must be considered within 28 days of receipt. However, it is accepted that applications received immediately prior to a period of school closure may not be processed within the stated timeframe.
- 6.4 If it is considered that there is insufficient information to enable the Board of Governors to consider the application, the Principal should arrange to meet with the teacher to explore the issues, within 28 days of receipt of the application.

7. CONSIDERATION OF APPLICATIONS

Stage 1 - Suitability of the post

- 7.1 When considering application(s) for job sharing the Board of Governors, excluding the appeal sub-committee, should give cognisance to the objectives of the Scheme and the advantages of job sharing as detailed in paragraph 3 of this document. The timescales detailed in paragraphs 6.2, 6.3 and 6.4 above must be adhered to.
- 7.2 When assessing the suitability of the post, consideration should be given to the business needs of the school, see below. This may also include 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.

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 viability of a job sharing arrangement is based on clear and justifiable business reasons, for example:

- the additional costs;
- the effect on the school's ability to meet parental demand or children's needs;
- the ability, or otherwise, to find a job share partner(s) or reorganise work among existing staff;
- the effect on the quality of education to be provided;
- the effect on the performance of the teacher(s);
- an insufficiency of work during the time when the teacher(s) propose to work;
- planned structural changes.

In circumstances where the Board of Governors, **after seeking advice from the Employing Authority**, determines that a post is not suitable for

job sharing it must record the reasons for its decision. A dated letter should be sent to the applicant(s), within 14 days of the decision, stating:

- the business ground(s) for refusing the application(s);
- an explanation as to why the business ground(s) for refusal apply in the circumstances; and
- provide details of the right of appeal.

A copy of the letter should be forwarded to the Employing Authority.

7.3 **Appeal**

A teacher(s) who believes the request has not been properly considered may lodge an appeal, stating the grounds, in writing, within 14 days of receipt of the notification of the decision.

Appeals shall be heard by the appeals sub-committee of the Board of Governors, which must arrange a meeting to hear the appeal(s) within 14 days of receipt of the appeal.

The teacher(s) have the right to be accompanied at the meeting by a teaching colleague or a recognised trade union representative. Legal representation is not permitted.

The appeals sub-committee must inform the teacher(s) of the outcome of the appeal, in writing, within 14 days of the date of the meeting.

If the appeal is upheld the notification must:

- include a description of the new working pattern;
- state the date from which the new working pattern is to take effect; and
- be dated.

The above will be subject to a suitable partner(s) being found (see 7.4 and 7.5 below).

If the appeal is dismissed the notification must:

- state the grounds for the decision;
- provide an explanation as to why the grounds for refusal apply in the circumstances; and
- be dated.

There is no further right of appeal under this Scheme, however the teacher has the right to apply to an Industrial Tribunal.

7.4 **Application from a Principal or Vice Principal to Job Share**

Having given consideration to the job share application, in accordance with paragraph 7.2, the Board of Governors should advise the principal or vice principal that his/her application is accepted subject to a suitable partner(s) being found. The remainder of the post should be publically

advertised in accordance with the Employing Authorities' procedure for the appointment of principals and vice principals.

When a suitable partner(s) has been selected effective working arrangements should be agreed between the parties and the Board of Governors. If a suitable partner(s) is not identified, the principal or vice principal shall be advised in writing that the job share arrangement cannot proceed by reason of inability to find a suitable partner(s). A copy of the letter together with Form TJS/09 should be forwarded to the Employing Authority.

7.5 **Application from one permanent teacher to job share**

Having given consideration to the job share application, in accordance with paragraph 7.2, the Board of Governors should advise the teacher that his/her application is accepted subject to a suitable partner(s) being found. The Board of Governors should then seek to identify a suitable partner(s) in accordance with the following procedure:

7.5.1 **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 shortlisting, interview 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(s) for a job sharing arrangement has been selected by this process, the Principal should notify the Employing Authority, 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.

7.5.2 **External**

In circumstances where a suitable job share partner(s) is not identified through an internal trawl, steps should be taken to advertise the post externally, in accordance with the Employing Authority's

recruitment and selection procedures.

When a suitable partner(s) for a job sharing arrangement has been selected, the Principal should notify the Employing Authority, 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.

- 7.5.3 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 the letter together with Form TJS/09 should be forwarded to the Employing Authority.

7.6 Application from two or more permanent teachers to job share a post

The Board of Governors should determine that the qualifications, experience, knowledge and skills of the teachers concerned meet the needs of the post.

Where the job sharing arrangement has been agreed, the relevant documentation should be forwarded to the Employing Authority. 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 Employing Authority, considers that the application(s) should not be granted, it must record the reasons for its decision. Dated letters should be sent to the teachers, within 14 days of the decision, stating:

- the business ground(s) for refusing the application(s);
- an explanation as to why the business ground(s) for refusal apply in the circumstances; and
- provide details of the right of appeal.

- 7.7 Where the teachers believe the request has not been properly considered they may lodge an appeal, following the procedure detailed in paragraph 7.3. A copy of the letters, together with Form TJS/09, should be forwarded to the Employing Authority.

Stage 2 - Working Arrangements

- 7.8 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.

7.9 **Division of Working Hours**

There is 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 afternoons;
- **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, e.g. 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.

7.10 **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 within directed time and will allocate sufficient time for liaison purposes.

It is the responsibility of the job sharers to ensure that effective liaison takes place. This can be done by handover log, telephone etc.

7.11 **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.

7.12 **Other Working Arrangements**

To ensure equity in working practices the Principal and the Job Share partners will need to be clear about the allocation of directed time, on a pro rata basis for each partner, in coming to agreement over matters in 7.8, 7.9 and 7.10 and with regard to other work related issues, for example:

- holidays, including bank and public holidays;
- Baker days;
- exceptional closure days;

- staff meetings;
- reporting to parents;
- open nights;
- other school events, e.g. sports days, school productions etc.;
- in-service training and development.

Job Share teachers should not be required to work or attend non pupil days, or parts of days they do not normally work, but teachers may choose to attend by mutual agreement with the Principal. A Job Share teacher who agrees to work additional hours/days in excess of his/her job share contract should receive payment.

Schools may consider varying the days of the week selected for non pupil days to provide a more equitable share between the Job Share teachers. The Principal and the Job Share teachers should agree attendance on these days at the beginning of each school year.

8. ALLOCATION OF TEACHING ALLOWANCES

- 8.1 In the event that the teacher(s) requesting job sharing is holding a teaching allowance, a number of options is available.
- 8.2 The sharer holding the teaching allowance may be allowed to retain the full value of the allowance. In this case the Board of Governors should be satisfied that the duties of the teaching allowance are able to be carried out effectively within the available working hours.
- 8.3 The sharer holding the teaching allowance may be allowed to retain a proportion of the value of the allowance. In this case the Board of Governors may decide to re-allocate, via internal trawl, the remaining proportion of the teaching allowance and an equivalent proportion of the duties.
- 8.4 In circumstances where a Board of Governors, after consultation with the teacher, his/her representative and the Employing Authority, determines that arrangements as detailed in paragraphs 8.2 and 8.3 above are not suitable, the duties and the allowance will be relinquished.

9. APPLICATIONS FROM JOB SHARERS FOR TEACHING ALLOWANCES

- 9.1 Teachers employed on a job sharing contract are eligible to apply for teaching allowances 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 teaching allowance; or

- ii. an application from two or more teachers to undertake the duties of the teaching allowance.

In these circumstances 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 arrangement; 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 Employing Authority, determines that the post is not able to be carried out fully 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 Employing Authority.

9.3.4 Where the Board of Governors determines that the teaching allowance 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 teaching allowances 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 to share is made and one of the applicants is deemed the most suitable candidate from all candidates, but the partner is determined 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 duties of the teaching allowance 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 teaching allowance on a job share arrangement.
- v. the Board of Governors in these circumstances should offer the post to the reserve candidate on a full-time basis.

10. COVER FOR JOB SHARERS

10.1 Where one sharer is unable to work e.g. due to illness or maternity leave, the partner should normally 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 temporary part-time staff will apply.

10.2 Where the variation in the working arrangement is short term e.g. to cover short term illness or attendance at in service training, the partner covering the work shall be paid additional hours, on a daily basis. Where the variation is longer term, e.g. to cover maternity leave, a career break etc. the partner covering the work should revert to a normal full time contract.

11. RESIGNATION

11.1 When a job sharer resigns the remaining job sharer should be offered the opportunity to return to full-time work on a permanent basis, or temporary basis pending the appointment of a suitable replacement. If a suitable replacement partner cannot be identified, using the procedures in Sections 7.4 and 7.5, the remaining job share teacher's working pattern will be maintained and the advice of the Employing Authority sought.

12. RESUMPTION OF FULL-TIME WORKING

12.1 Teachers job sharing on a permanent basis shall have *no* automatic right to return to full-time employment (except in circumstances relating to temporary cover in Section 10 or where a job share partner resigns, as in Section 11). Where both Job Share partners are interested in returning to

full-time employment they will have to compete for the vacancy in the normal manner.

12.2 When a vacancy occurs in the school a job share teacher may apply for the post under the appropriate procedure for recruitment and selection.

JOB SHARE SCHEME FOR TEACHERS

INFORMATION NOTES FOR TEACHERS, INCLUDING PRINCIPALS AND VICE PRINCIPALS.

These should be read in conjunction with the Job Share Scheme and Appendix A.

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 teachers, including principals and vice principals, who have successfully completed 26 weeks continuous service at the date of application are eligible to apply for job share. Where an application is from a principal, the Chair of the Board of Governors will manage the Scheme.

3. CONSIDERATION OF APPLICATIONS

3.1 When assessing the suitability of the post, consideration will be given to the business needs of the school, for example:

- the additional costs;
- the effect on the school's ability to meet parental demand or children's needs;
- the ability, or otherwise, to find a job share partner(s) or reorganise work among existing staff;
- the effect on the quality of education to be provided;
- the effect on the performance of the teacher(s);
- an insufficiency of work during the time when the teacher(s) propose to work;
- planned structural changes.

Consideration will also be given to 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.

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 ARRANGEMENTS

4.1 There is 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 while the other sharer works afternoons;
- **Split week** - each sharer works two full days and one half day each;
- **Two days one week and three days the next** - the sharers alternate 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, e.g. 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.

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

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 within directed time and will allocate sufficient time for liaison purposes.

It is the responsibility of the job sharers to ensure that effective liaison takes place. This can be done by handover log, telephone etc.

4.4 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.

4.5 Other Working Arrangements

To ensure equity in working practices the Principal and the Job Share partners will need to be clear about the allocation of directed time, on a

pro rata basis for each partner, in coming to agreement over matters in 4.1, 4.2 and 4.3 and with regard to other work related issues, for example:

- holidays, including bank and public holidays;
- Baker days;
- exceptional closure days;
- staff meetings;
- reporting to parents;
- open nights;
- other school events, e.g. sports days, school productions etc.;
- in-service training and development.

Job Share teachers should not be required to work or attend non pupil days, or parts of days they do not normally work, but teachers may choose to attend by mutual agreement with the Principal. A Job Share teacher who agrees to work additional hours/days in excess of his/her job share contract should receive payment.

Schools may consider varying the days of the week selected for non pupil days to provide a more equitable share between the Job Share teachers. The Principal and the Job Share teachers should agree attendance on these days at the beginning of each school year.

5. ALLOCATION OF TEACHING ALLOWANCES

5.1 If a teacher makes an application to job share and already holds a teaching allowance 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 teaching allowance.

5.1.2 To allow the teacher to retain a proportion of the value of the teaching allowance.

5.1.3 In circumstances where the Board of Governors, after consultation with the teacher, his/her representative and the Employing Authority, determines that arrangements as detailed in 5.1.1 and 5.1.2 above are not suitable, the duties and the allowance will be relinquished.

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

6. APPLICATION FOR TEACHING ALLOWANCE

6.1 Teachers employed on a job sharing contract are eligible to apply for teaching allowances 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 requested 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 Boards 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, e.g., maternity leave, the teacher should 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 should be offered the opportunity to return to full-time work on a permanent basis, or temporary basis pending the appointment of a suitable replacement.

8.2 If a suitable replacement is not identified by internal trawl or public advertisement, the remaining job share teacher's working pattern will be maintained, and the school will seek advice from the Employing Authority.

9. RESUMPTION OF FULL-TIME WORKING

9.1 Teachers job sharing on a permanent basis shall have *no* automatic right to return to full-time employment (except as provided at 7.3 and 8.1 above). Where both Job Share partners are interested in returning to full-time employment they will have to compete for the vacancy in the normal manner.

9.2 When a vacancy occurs in the school a job share 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 Department of Education Determination.

10.2 Salary will be paid at the end of the month along with full-time teachers. Pro-rata salary is calculated as follows:-

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

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 Department of Education Determination.

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

TNC 2008/1 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, in accordance with DE Circular 1991/46 and 1993/31.

16. OUTSIDE EMPLOYMENT

It is permissible for job share teachers to be engaged in external work (including service in another school) provided it does not lead to a conflict of interest.

17. TERMINATION OF SERVICE

A teacher wishing to resign his/her post must do so, in writing, to the Principal and Board of Governors giving the notice required as agreed with the negotiating body, i.e., 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 July and August form part of the notice period when 4 full calendar months notice is required.

18. MAKING APPLICATION

18.1 Any application for job share must be made on Form TJS/09 and submitted to the relevant body normally no later than 31 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 31 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.

18.3 The application will be acknowledged, in writing, and will be considered within 28 days of receipt. However, it is accepted that applications received immediately prior to a period of school closure may not be processed within the stated timeframe.

18.4 If it is considered that there is insufficient information to enable the Board of Governors to consider the application, the Principal should arrange to meet with the teacher to explore the issues, within 28 days of receipt of the application.

19. CONSIDERATION OF JOB SHARE APPLICATIONS

19.1 The relevant body will give careful consideration to each job share application using clear and justifiable business reasons (refer to paragraph 3.1 above).

- 19.2 The relevant body 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 relevant body is unable to accede to the request the reasons for the refusal will be given in writing, within 14 days of the decision. The dated letter will state:

- the business ground(s) for refusing the application(s);
- an explanation as to why the business ground(s) for refusal apply in the circumstances; and
- provide details of the right of appeal.

20. APPEAL

A teacher(s) who believes the request has not been properly considered may lodge an appeal, stating the grounds, in writing, within 14 days of receipt of the notification of the decision.

Appeals shall be heard by the appeals sub-committee of the Board of Governors which must arrange a meeting to hear the appeal(s) within 14 days of receipt of the appeal.

The teacher(s) have the right to be accompanied at the meeting by a teaching colleague or a recognised trade union representative. Legal representation is not permitted.

The appeals sub-committee must inform the teacher(s) of the outcome of the appeal, in writing, within 14 days of the date of the meeting.

If the appeal is upheld the notification must:

- include a description of the new working pattern;
- state the date from which the new working pattern is to take effect; and
- be dated.

The above will be subject to a suitable partner(s) being found.

If the appeal is dismissed the notification must:

- state the grounds for the decision;
- provide an explanation as to why the grounds for refusal apply in the circumstances; and
- be dated.

There is no further right of appeal under this Scheme, however the teacher has the right to apply to an Industrial Tribunal.

APPLICATION TO JOB SHARE

(Please read the Job Share Scheme for Teachers in conjunction with the Notes of Guidance for teachers, including Principals and Vice Principals, available from the school, before completing this form)

PART A (for completion by the teacher)

School: _____ Ref No: _____

Full Name: _____ Title: _____

Home Address: _____

Teacher's Reference No: _____ Length of Teaching Service: _____

Class/subject(s) taught (please give Key Stage and/or level(s)): _____

Do you hold a teaching allowance? _____ YES/NO (Delete as appropriate)

State main areas of responsibility: _____

In circumstances where the relevant body did not consider that the teaching allowance is suitable for job share either in full or part would you still wish for consideration to be given to job share? _____ YES/NO (Delete as appropriate)

Does your post attract a SEN allowance? _____ YES/NO (Delete as appropriate)

If yes, state number of allowances: _____

Reason for application: _____

Preferred Working Pattern: _____

Date to commence Job Share: _____

Have you identified a Job Share partner in your school? _____ YES/NO (Delete as appropriate)

If yes, state full name: _____

I have read the terms and conditions of the Job Share Scheme for Teachers and the Information Notes for Teachers and wish this to be regarded as a formal application for consideration by the relevant body to job share with effect from _____.

Signed: _____ Date: _____

PART B (for completion by Principal and Board of Governors)

Application acknowledged in writing on: _____

Further information required. Principal met with teacher on: _____

The Board of Governors (excluding the appeal sub-committee) met to consider the application on: _____

Names of Governors present: _____

The decision of the Board of Governors is as follows: **Application Granted/Not Granted** (Delete as appropriate)

APPLICATION GRANTED

If application granted, has a job share partner from within the school been identified? **YES/NO** (Delete as appropriate)

If yes, state full name: _____

If no, please indicate when you wish the post to be advertised: _____

Is there a teaching allowance attached to this post? **YES/NO** (Delete as appropriate)

If yes, will one, or both partners receive payment for the teaching allowance?

Please give full details:

IF YOU WISH THE JOB SHARE POST TO BE ADVERTISED PLEASE SUBMIT WITH THIS APPLICATION FORM DETAILS AND JOB DESCRIPTION OF THE POST TO BE ADVERTISED

APPLICATION AMENDED AND GRANTED – PLEASE SUPPLY DETAILS

APPLICATION NOT GRANTED

If application not granted please indicate the clear and justifiable business reason(s). Refer to Paragraph 6 of the Scheme:

If application not granted was the Employing Authority consulted before the meeting of the Board of Governors?

YES/NO (Delete as appropriate)

Has a letter detailing the reasons and an explanation of the reasons been issued to the teacher(s) concerned?

YES/NO (Delete as appropriate)

Has the teacher(s) exercised the right of appeal?
YES/NO (Delete as appropriate)

Appeals sub-committee met to hear the appeal(s) on:

Names of Governors Present: _____

Was the teacher(s) accompanied at the meeting? YES/NO (Delete as appropriate)

Accompanied by: **Trade Union Official/Teaching Colleague** (Delete as appropriate)

The decision of the Appeals sub-Committee was as follows:
APPEAL UPHELD/APPEAL DISMISSED (Delete as appropriate)

If the appeal was upheld, has notification of the new arrangements been given to the teacher(s)?
YES/NO (Delete as appropriate)
Please attach details.

If the appeal was dismissed, has notification of the grounds for refusal and explanation of those grounds been given to the teacher(s)?
YES/NO (Delete as appropriate)
Please attach details.

Signed: _____ Signed: _____ Date: _____
Principal Chairman of BOG

Please forward the completed Form(s) TJS/09, Board of Governors Minutes and, where applicable, copies of letters to teacher(s) to: