

WCED POLICY FOR THE MANAGEMENT OF WORKTIME, AND ALL FACTORS IMPACTING ON IT, OF INSTITUTION-BASED EDUCATORS AT SCHOOLS [Grades R - 12]

The operationalization of national and provincial acts, policies and ELRC resolutions to promote correct interpretation and uniform implementation in all WCED schools

1. INTRODUCTION

The legal prescriptions of the Employment of Educators Act 76/98, and the resolutions negotiated by the Education Labour Relations Council [ELRC] during 1998 and 2000 form the basis of the conditions of employment of educators. Several Western Cape Education Department [WCED] circulars regarding parts of these legal requirements have been sent to schools. These documents have addressed different small sections of the above legislation, and when matters are not seen within the total context, misinterpretation and confusion tend to occur.

This document is a compilation of the already existing policies, regulations and resolutions regarding the interpretation and management of all matters relating to institution-based educators at GET/FET schools with regard to total worktime, workload and core duties, the formal school day and scheduled teaching time, and factors impacting on it. This management policy is provided as a tool to assist and support Principals and School Management Teams to effectively manage educator worktime. This document by no means seeks to replace already existing acts, national policies and ELRC resolutions. The intention of this document is not to add to the burden of educators, but to promote a uniform understanding of the worktime of institution-based educators and all issues relating to it, and to guide all educators to perform in accordance with the requirements.

The Western Cape Education Department (WCED) acknowledges and applauds the commitment of educators who adhere to the principles and requirements set out in this document.

2. DOCUMENTS OF REFERENCE

National Education Policy Act, 27 of 1996
Employment of Educators Act, 76 of 1998
Regulations for Terms and Conditions of Employment of Educators
Regulations regarding the Personnel Administration Measures
Education Labour Relations Council [ELRC] Resolutions: 7 of 1998, 8 of 1998, 7 of 2001, and 6 of 2002
Personnel Administration Measures [PAM]
National Policy regarding General Education and Training Programmes: *Approval of the Revised National Curriculum Statement Grades R-9 [Schools] – Gov. Notice 23406/2002*
National Policy on Instructional Time for School Subjects
National Policy for Designing School Calendars for Ordinary Public Schools in SA
South African Schools Act, 84 of 1996
The Constitution of the Republic of South Africa, Act 108 of 1996
Provincial Education Labour Relations Council [PELRC] Task Team's *Common Understanding of the Interpretation and Implementation of the Time-off Provisions*, October 2002
WCED Circulars 40/2002, 97/2002, 162/2002, 83/2002, 54-66/2003.

3. DEFINITIONS

"education institution" is a public school... or adult basic education centre... or any other institution that provides specialised tuition and where learning activities are discontinued during institution closure periods.

"institution closure period" is the scheduled period for which the institutions close at the end of each term and during which period teaching and learning activities are discontinued [i.e. school holidays].

"institution-based educator" means an educator who is employed at an education institution and whose normal duties are discontinued during institution closure periods.

"scheduled working time" for institution-based educators means:

- i) all the time during a school term, both during and outside the formal school day, when institution-based educators must perform duties in terms of the measures in Chapter A of the PAM; and
- ii) days, during an institution closure period [school holiday], that have been scheduled by the [national] Minister, in accordance with the National Education Policy Act, Act 27 of 1996, for these educators to report for administrative duties, or by the head of a provincial department for these educators to report for in-service training in terms of paragraph 3.2 of Chapter A of the PAM.

NB: Also see Regulation 23 in the Regulations regarding the Terms and Conditions of Employment of Educators.

"a formal school day" is the allocated, compulsory time [which should not be less than 7 hours per day] during a school day that educators have to be at the school for interaction with the school programme.

"school days" are the legally determined days per school term during which learners and educators have to attend school for instruction to learners.

"scheduled teaching time" is the amount of time during a formal school day allocated for active instruction [teaching] in the essential [academic curriculum] learning areas or subjects.

"Curriculum" means all aspects of the learning and teaching process which learners actively engage with and includes activities and experiences provided and experienced in the relevant teaching situation.

"extra- and co-curricular activities" refers to such activities and experiences not included in the academic curriculum, but that may be incidental to the academic curriculum and the learning/teaching process, or to education in general, and includes activities and experiences that may be offered during and after formal school hours, including extra-mural activities.

"school programme" means all activities covered by the formal academic curriculum, including co- and extra-curricular activities, as well as extra-mural activities and any other school related activities as determined by the school's governing body.

"pastoral duties" means duties related to discipline, counselling, guidance and any other related duties which are part of the formal school day.

"core duties" are those duties and functions that educators are required to perform in terms of their job descriptions and workload, both during and after the formal school day.

"notional time" is the amount of time per week allocated to a specific subject or learning area. See Circular 83/2002 for the notional times for the different learning areas per grade.

"professional development" for educators means:

i] *School professional development* which is sanctioned [organised] by the school to meet the needs of the school and educator staff as part of their core duties; and

ii] *80 hours per annum* as per PAM Chapter A [3.2][d] which is for all training sanctioned [organised] by the WCED.

"Skills Development" is a programme offered to all employees in terms of the Skills Development Act and the Skills Development Levy Act, to build capacity and skill employees in general.

"time-off" is not leave and means time away from school during the formal school day for:

i] *"union activities & duties"* for elected union representatives as per Chapter G of the PAM and the PELRC's Common Understanding on the Interpretation and Implementation of the Time-off Provisions; and

ii] *"ordinary time-off"* for urgent private matters that cannot be attended to after school hours, which is allowed to all educators.

4. THE SCHEDULED WORKING TIME OF INSTITUTION-BASED EDUCATORS

4.1 The scheduled working time of educators [ELRC Resolution 7 of 2001 for Leave] is

i] all the time during a school term, both inside and outside the formal school day, and

ii] those days during institution closure periods [school holidays] that are officially scheduled for educators to do administrative tasks [see National policy for designing school calendars... par. 3.1.6], or attend developmental programmes [see PAM Chapter A par. 3.2 (d)].

4.2 In terms of Regulation 23 of the Regulations regarding the Terms and Conditions of Employment of Educators, an institution-based educator is on official duty

"i] during the service periods laid down in the school timetable which reflects the curriculum or the times approved by the employer for the school, and

ii] during the times in which such other activities, which do not constitute part of the school timetable, but are related to school affairs [i.e. the school programme], take place...".

4.3 The scheduled working time of educators, therefore, includes the formal school day of 7 hours per school day, as well as those hours after the 7 hours [outside the formal school day] during which educators are required to perform school related duties.

4.4 OVERTIME

ELRC Resolution 6 of 2002 [applicable until December 2003] stipulates in

Par. 4[2] that "payment and authorisation for overtime [work] will be in terms of the PAM [See PAM Chapter D, par.2.2.] The number of hours an educator will be allowed to work overtime will not be limited." This means only overtime work sanctioned by the WCED in terms of PAM Chapter D, par. 2.2. will be paid, and according to the fixed rates in the PAM. An educator must apply via the Circuit Manager for approval for overtime work and payment and it must be approved by Personnel CS Educators]. All other "overtime" will be part of the normal "outside of the formal day" duties. [See "night work", 3rd bullet below.]

Par. 4[3] that "payment for duties performed on a Sunday shall be in accordance with the fixed rates as reflected in the PAM". This applies to educators doing supervisory duty at ELSN institutions. [See PAM Chapter D, par 2.4 regarding conditions for payment and fixed rates.]

Par. 4[5] that "No remuneration for night work shall apply to educators in respect of duties that they may have to perform after 18h00 at an education institution". This refers to those duties that form part of the normal school programme as approved by the governing body of the school, and/or the normal functioning of the school. The principle of

reasonableness and fairness must always be applied when educators are requested to work at school during hours that fall "outside the formal school day".

5. THE FORMAL SCHOOL DAY

- 5.1 Although in terms of ELRC Resolution 7 of 1998 [PAM Chapter A par. 3.1 e)] it is "the expectation that every educator must be able to account for 1800 actual working hours per annum" and, therefore, should work at least 1800 hours per year, the WCED acknowledges that the vast majority of educators are working more hours than this. The present number of school hours [at 200 x 7 hours] amounts to 1400 hours per year. The remaining hours are for activities outside the formal school day, and include the 80 hours in-service training [professional development] that may be scheduled by the employer in terms of ELRC Resolution 7 of 1998 [PAM Chapter A par. 3.2 d)].
- 5.2 In terms of the PAM Chapter A par. 3.2 a) all educators [including principals and deputy principals] are required to be at school during the 7 hours of the formal school day, for each school day, including Fridays. Therefore, a working week shall consist of 5 days of 7 hours each day to make up a total of 35 hours per week. Where adaptation to the formal school day is allowed in terms of par. 11.5 of this document, the 35 hours per week remains a requirement.
- 5.3 Thus, the 7 hours per day of the formal school day at school consists of
- a set number of hours scheduled teaching time [interaction with learners and learning areas or subjects] per day, i.e. between 4 hours 30 minutes per day for Grade 1, and 5 hours 30 minutes per day for higher grades. [See definition of *scheduled teaching time*.]
 - the remaining time of the 7 hours [between 2 hours 30 minutes and 1 hour 30 minutes] which is for break [or meal] times, which should be approximately 30 minutes per day, and other activities related to the normal workload and duties of educators.

PLEASE NOTE: ELRC Resolution 6 of 2002, par. 4[4] stipulates that "*Educators employed at an education institution, in respect of a meal interval, will be allowed one or more breaks, the total of which shall not be less than 30 minutes*". Therefore, educators must be allowed at least 30 minutes per day for a mealtime.

It is, therefore, important that SMTs consult with their educator staff to find an acceptable and feasible solution with regard to the meal interval allowed to educators in terms of Resolution 6 of 2002, for educators who are on playground duty. It is proposed that schools carefully plan for duties such as playground, scholar patrols, library duty, etc., so that the same educator should not have duty for both intervals. These duties could be on a rotational basis, and where intervals do not make up the 30 minutes, additional time [or a 30 minute period] should be allowed at the end of the day before extra-mural activities begin.

6. SCHEDULED TEACHING TIME

- 6.1 Scheduled teaching time should be spent actively interacting with the learners with regard to curriculum activities. In terms of the National Policy for Instructional time for School Subjects [Notice 1473 of 1999], "teachers should... adhere to these prescriptions, as well as the minimum weekly time allocated to these instructional offerings". Therefore, scheduled teaching time should not be shortened or used for activities not related to the learning areas or subjects.
- 6.2 It is strongly recommended that schools adopt a management policy in line with national and provincial requirements, which should include that educators should never leave learners unsupervised in any instruction room. If it is required of an educator to leave the learners under his/her supervision and/or instruction, then another adult should be requested by the principal or a SMT member to supervise those learners until the educator returns. This is to prevent the school and educator from being held legally liable for any injury or harm to a learner during the absence of the educator.
- 6.3 On page 26 of the Revised National Curriculum Statement and in par. 1 of the National Policy regarding Instructional Time for School Subjects, the time allocated for scheduled teaching and learning [instruction time, contact time] is indicated as follows:

Grades 1 & 2	22 hours 30 minutes per week	4 hours 30 minutes per day
Grade 3	25 hours per week	5 hours per day
Grades 4 - 7	26 hours 30 minutes per week	5 hours 18 minute per day
Grades 8 – 12	27 hours 30 minutes per week	5 hours 30 minutes per day

[Please see Circular 83/2002.]

- 6.4 Notional time should be accommodated into the scheduled teaching time per week when the allocation of the workload is determined and the timetable for the school is set. [See Circular 83/2002.]

7. THE WORKLOAD OF EDUCATORS

- 7.1 The workload of educators consists of both academic [teaching] responsibilities and all other duties as established by the curriculum and school programme of the institution at which they are employed, and has to be performed during and outside the formal school day.

NB: An institution's school programme consists of an academic curriculum with subject choices or learning areas determined by the institution's governing body within the parameters of the WCED's curriculum policy, and of an after school hour programme determined by the governing body of the institution.

- 7.2 The **allocated academic workload** [subject/learning area or teaching responsibility] should be equitably distributed among educators. It should be borne in mind that the principal and deputy posts are included in the educator establishment when calculating the learner teacher ratios for schools and, therefore, principals and deputy principals should also be teaching. In smaller schools Principals [and Deputies] are required to do more teaching than in bigger schools with larger staff establishments.
- 7.3 School management teams [SMTs] are requested to comply with the provisions in the PAM. In terms of the PAM Chapter A par. 3.3 the following guidelines should be followed when allocating subject or learning area responsibilities and teaching time per educator employed in terms of the Employment of Educators Act:

Primary schools:

Post level 1	85% to 92%
Post level 2	85% to 90%
Deputy Principal [PL 3]	60%
Principal [PL 4]	10% to 92% [depending on size of school]

Secondary schools:

Post level 1	85% to 90%
Post level 2	85%
Deputy Principal [3]	60% [Post level 3]
Principal [PL 4]	5% to 60% [depending on size of school]

[Please also refer to PAM Chapter A par. 5 for Rank designations.]

- 7.4 Allocation of workload should take place after consultation with educator staff and in line with this policy. The actual hours for scheduled teaching time must be established in relation to the curriculum needs of the school, the timetable and the departmental staff establishment of the school.
- 7.5 All extra-mural, extra- and co-curricular activities [i.e. the school programme] should also be equally distributed amongst all educators at the school to ensure a fair and equitable workload.
- 7.6 The principal may allocate administrative, pastoral, extra-curricular and professional duties related to the accepted curriculum and school programme and the normal functioning of the institution to an educator on the school's staff after consultation with the educator staff.

NOTE: Schools should bear in mind that the curriculum subject choices offered by the school, especially in the senior phase, should be aligned with the total number of educators on the school's staff and the number of hours per formal school day. The same principle should apply to provision of extra-curricular activities at the school. Schools should not opt to offer more than can be effectively managed by its educator staff.

7.7 Planning and Timetables

To accommodate and control the needs of the school with regard to all aspects of school activities, it is of the utmost importance that principals and SMTs do effective advance planning for the ensuing year.

- A. A year plan must be worked out, incorporating dates for assessment, staff meetings, parent meetings and other additional activities and functions, as well as sport, cultural and religious events. The year plan must also reflect all dates on which information should be provided to the EMDC or Head Office.
- B. Principals and SMTs should make every possible effort to structure the school programme and timetable of the school in such a way that it
- i] allows scheduled teaching time to be utilised for teaching and learning only;

- ii) allows the time-off for religious observances, for those educators who attend a religious practice on a regular basis, outside of their scheduled teaching time, i.e. during administrative periods;
- iii) provides for non-teaching activities, as part of the school programme, such as prize-giving, valedictories, visits by NGOs, excursions, administrative and managerial activities, etc., so that it does not happen during scheduled teaching time.

Examinations and tests are seen as part of scheduled teaching time.

Extra-mural activities, such as sport, should be provided for after the formal school day. When extra-mural activities necessitate time during the formal school day, it should be outside scheduled teaching time.

8. CORE DUTIES OF EDUCATORS

It is expected of all educators to perform core duties both during and outside the formal school day. In terms of the PAM Chapter A par. 3.1, the core duties of educators are divided between duties performed during the formal school day [7 hours] and duties that are performed outside the formal school day [after the 7 hours].

8.1. Duties performed during the formal school day [7 hours]

- a) Scheduled teaching time
- b) Relief teaching
- c) Extra- and co-curricular duties
- d) Pastoral duties [playground, detention, scholar patrol, etc.]
- e) Administration
- f) Supervisory and management duties
- g) Professional duties [meetings, workshops, seminars, conferences, etc.]
- h) Planning, preparation, assessment and evaluation.

WCED EXPLANATORY NOTE

- i) The professional duties in 8.1 g] are duties and meetings outside scheduled teaching time with other educators at the school, OR with the permission of the EMDC Director or his/her delegate at another school or venue, and should be in relation to school and curriculum development, e.g. subject meetings, etc. The scheduled teaching time should not be shortened by, or used for, these duties.
- ii) Planning, preparation, assessment and evaluation in 8.1 h] also includes regular preparation for instruction and lessons, regular giving of academic homework within the framework of the institution's homework policy, regular control and evaluation of homework, assessment and, when necessary, strategic interventions based on the outcomes of the homework, in conjunction with the institution's Teacher Support Team [TST].

8.2. Duties outside the formal school day [after the 7 hours]

- a) Planning, preparation and evaluation
- b) Extra- and co-curricular duties [e.g. sport, cultural activities, etc.]
- c) Professional duties [meetings (e.g. staff, parent, governing body), workshops, seminars, conferences, etc.]
- d) Professional development

WCED EXPLANATORY NOTE

- i) The professional duties in 8.2 c] entail meetings and visits with parents, and also attending meetings, workshops, etc., usually related to the normal functioning of the school. These are determined and arranged by the school itself, or by a group of schools or by the EMDC officials [and not by the WCED as the employer or the EMDC Skills Plan]. Educators must perform these duties as part of their normal core duties that fall "outside the formal school day".
 These duties do not form part of the 80 hours per annum for professional development.
 These duties should not interrupt, or shorten the curriculum or scheduled teaching time.
 The principal and SMT must decide about and allocate these duties after consultation with the educator staff.
- ii) The professional development in 8.2 d] relates to development of staff in curriculum and school management as part of normal work responsibilities and according to the school's development plan, and may be arranged by the school itself, the principal or the governing body. This development will only be regarded as part of the 80 hours if sanctioned by the EMDC and approved by the EMDC Director. [Also see par. 9.1.1.]

9. EDUCATOR DEVELOPMENT

The WCED encourages the continuous development and training of all educators in its employ.

9.1 Professional Development

Educators must note that in terms of the Educators Employment Act, 76/98, the PAM and the ELRC Resolutions 8 of 1998 and 7 of 2001, educators' professional development is regulated as follows:

9.1.1 Professional Development as part of the educators' core duties in terms of par. 8.2 g) of this document. This professional development is organised by the school to meet the needs of the school and educators and may take place at the school during the formal school day, but **not during** scheduled teaching time. This professional development is not sanctioned by the WCED or the EMDC and therefore does not count as part of the 80 hours.

9.1.2 80 hours: The employer [WCED Head Office or EMDC] may require an educator to attend programmes for ongoing professional development for up to a maximum of 80 hours [about 10 days] per year. The 80 hours are part of the duties required of educators outside of the formal school day and form part of the worktime per year. These courses must, therefore, in terms of the PAM Chapter A par. 3.2[d], as negotiated by the ELRC Resolution 7 of 1998 paragraph 2.4 and repeated in Resolution 7 of 2001 in the definition of "scheduled working time", take place outside the formal school day [after school hours], over weekends and during school holidays [institution closure periods], and educators will not be paid overtime for attending such programmes. These programmes are compulsory and are job-specific, e.g. curriculum training, classroom management, assessment training, school management and administration, etc.

For programmes to be conducted during school holidays, the employer [EMDC] must give at least one term's notice to educators of such programmes.

For courses and programmes conducted during the term, that is after school hours and over weekends, the employer must give the educators one month's notice.

NOTE: These development programmes [80 hours] organised by the employer **exclude** the normal school professional development programmes organised by schools themselves. However, such school programmes and professional development may be considered for the 80 hours, if supported by the EMDC and approved by the EMDC Director.

9.2 Skills Development

In terms of the Skills Development Act, each company or organisation must set aside a percentage of its annual budget for developing the skills of its employees. Skills development includes programmes and courses to develop or acquire certain skills, e.g. computer literacy, specific computer courses, language courses, stress management, etc. Each EMDC should have a Skills Development Plan in accordance with the Skills Audit, both of which should be revised annually. Skills development courses are not compulsory. Educators may attend such courses by applying timeously to their principal [or circuit manager, if a principal] for approval to do so.

NB: Skills development will only be regarded as part of the 80 hours professional development if sanctioned by the WCED

[EMDC] and approved by the EMDC Director.

9.3 Development through own initiative

Educators may attend courses or programmes through their own initiative.

9.3.1 In their own time: Educators may attend programmes or courses outside their work time, i.e. in their own time.

9.3.2 By taking special leave: Educators may attend courses or programmes **for professional and personal development** [if the personal development is in the interest of the employer] during formal school days by **taking special leave** with full pay, subject to the recommendation of the principal and approval from Head Office.

NOTE: The number of days taken for special leave for professional and personal development include days taken for religious observances, and may not, in total, exceed 3 working days per calendar year. [See par. 16 of Resolution 7 of 2001 and Circular 61/2003.]

10. LEAVE

10.1 The leave provisions for educators in terms of the ELRC Resolution 7 of 2001 are applicable. Please see Circulars 54-66/2003. However, educators should take note that the provisions for managing absence during the formal school day outlined in par. 11 of this document should be adhered to, e.g. the principal [or circuit manager] should be informed and recommend the leave at all times.

10.2 In all cases of leave, a leave application form must be completed in duplicate, and handed to the principal [or circuit manager, if a principal] for recommendation.

i] A copy must be made of the leave forms and filed in the general 'Leave' file.

ii] The principal must forward the original leave forms, in duplicate, to the Directorate: Personnel [CS Educators] at Head Office without delay.

iii] The copy returned to the school by the Directorate: Personnel [CS Educators] is placed on the educator's personal file.

NOTE: **â** The circuit manager recommends and signs the principal's leave form and forwards it to Personnel at Head Office, and provides a copy to the principal.

- â The school governing body [SGB] is **not required to** approve or recommend the leave of educators employed by the WCED, but as a courtesy may be informed.

10.3 Any further enquiries regarding the interpretation and management of leave must be directed to the WCED's Directorate: Personnel [CS Educators].

11. ABSENCE FROM SCHOOL DURING THE FORMAL SCHOOL DAY

If any request for absence from school [for leave or time-off] is granted to any educator, arrangements for continued instruction must be made.

11.1 Principals

A principal may be away from school during the formal school day only with permission [or in special circumstances with a valid reason] from his/her EMDC Director, or the Director's delegate. The request for permission to be absent or away must be made timeously via the circuit manager.

The principal must arrange for the normal continuation of the school programme during his/her absence from the school by delegating his/her functions and duties in writing to the deputy principal [or the most senior educator in rank in smaller schools] who will act in his/her absence. All necessary information regarding the institution must be conveyed to the person acting in the principal's absence.

NOTE: At the beginning of each year, an official higher in rank than the principal must, in writing, delegate the functions and responsibilities of the Principal to a suitable person who will act in place of the Principal when he/she is away from the school. The Principal must explain the delegation authority and responsibilities of deputising for the principal to the school's staff.

The deputised educator must familiarise himself or herself with the duties and responsibilities of the principal. The principal must, in writing, inform the educator who will deputise for him/her of his/her departure or absence, and must again inform the person of his/her return to school. [The form in Annexure A may be used for this.]

11.2 Educators [including Deputies]

Educators may be away from the school during the formal school day only with permission from the principal. The principal may recommend absence from school for individual educators on the grounds of sick leave or any other special or urgent reason. Leave requirements must be strictly adhered to. Principals must ensure that the correct procedures and requirements are followed at all times. [Also see Circulars 54-66/2003.]

11.3 Professional and school related duties

School programmes and duties often require educators to fulfil duties at venues away from school. To support and protect SMTs in the management of these duties and to prevent abuse, EMDC Directors [or his/her delegate] may allow educators to be away from their own schools during the 7 hours of the formal school day, **ONLY** if

it is for necessary professional duties and/or development.

it is impossible or impractical to accommodate the event after the formal school day.

acceptable arrangements have been made to fulfil the requirements for scheduled teaching time.

In such cases, the time away from school during the formal school day must be recorded in the daily attendance register if it is for a full day, or in the time-off register if it is for part of a day. The reason for absence must be provided.

11.4 Arrangements during absence from school

- a) In terms of the provisions of this policy, WCED Head Office [HO] personnel and WCED EMDC personnel may only request educators, including principals, to attend a meeting, workshop or training during the formal school day if it has been approved by the Head of Education [when the event is requested by WCED HO officials] or the EMDC-Director [if the event is requested by EMDC officials]. All requests for attending such events must be in writing and directed to the principal of the school with a copy to the relevant educators.

NOTE: In all cases where approval is granted for meetings, workshops or training during the formal school day, the time that the educator is away from the school must be recorded correctly. The reason for absence must be provided. Educators do not have to take leave for such events.

- b) Because the recommendation for leave and approval of time-off for urgent private matters often rests with the principal [or circuit manager], the principal or circuit manager must verify all requests for absence from school during the formal school day, by ensuring that the reason given for the request is valid and acceptable. In all cases of time-off for union representatives, the allocated time-off per year must not be exceeded. [See PAM Chapter G.]
- c) If any leave or time-off is granted to an educator to be away from school during scheduled teaching time, the principal is responsible for making arrangements to accommodate instruction for the learners, i.e.
 - i) The educator requesting absence must be requested to provide the learners with sufficient and effective curriculum related activities or work to do under supervision.
NB: Learners should always be supervised by an adult in a safe and appropriate environment.
OR
 - ii) Another educator must be instructed to take over the instruction or supervision of the learners.
 - iii) All efforts should be made not to shorten scheduled teaching time.
- d) In all cases of time-off, each educator's time-off must be entered into the time-off register.

11.5 Religious considerations

11.5.1 Leave:

Special leave with full pay may be granted to individual educators for the observance of religious days, if those days are not official holidays.

NB: Please also see paragraph 9.3.2 and the leave provisions in terms of Resolution 7 of 2001, in Circular 61/2002.

11.5.2 Adaptations to the formal school day [7 hours per day]:

To accommodate the constitutional rights of all South African communities with regard to religious diversity, the following adaptations to the formal school day for religious purposes and/or practices will be considered by the Head of Education:

- A. The governing bodies of institutions may request, in writing, permission from the Head of the WCED, via the Circuit Manager, to adapt the times of a formal school day for religious purposes that take place regularly, **ONLY** if
 - i) Most of the teaching staff is affected and their absence will seriously disrupt the normal functioning of the school.
Written proof of the number of educators [names and persal numbers] and their faith must accompany the request.
 - ii) The adaptation to the timetable is for the whole school and for the whole year.
 - iii) The hours lost for religious purposes on any day are worked in during the same week.
 - iv) The week [5 formal school days] has a total of 35 hours.
- B. The governing bodies of institutions may request, in writing, permission from the Head of the WCED, via the Circuit manager, to deviate from the 7 hours per day for the affected educators where a few staff members are involved in a religious activity on a regular basis, **if**
 - i) The names, persal numbers and proof of faith of the affected educators are provided.
 - ii) Proof is provided of the effort to structure the school timetable to make provision for attendance of the activity outside the affected educators' scheduled teaching time.
 - iii) The observance of such religious activity will involve no more than 90 minutes away from school. Educators should thereafter return to school to complete the formal school day [7 hours].
 - iv) The time [90 minutes] that the affected educators spend away from school is worked in during the same week.
 - v) Scheduled teaching time is not shortened.

11.5.3 Closing of the school:

In terms of par. 3.1.7 of the national Policy for Designing School Calendars..., a governing body may exercise the right to close an institution for the observance of a religious day [or part of the day] that is not an official holiday, **ONLY** if the "majority of pupils are members of the faith in question". The following conditions apply:

- A. The number of days per year taken for religious purposes may not exceed 2 days, and must be in the place of one or both of the 2 days allowed for Sport and Culture.
- B. The governing body must apply, in writing, to the Head of the WCED, via the Circuit Manager, for permission to exercise this option.

The application must include the following:

- i) The number of learners concerned, and that number as a percentage of the total number of learners of the school.
- ii) The day and date to be used for religious purposes.
- iii) It must be indicated that one, or both, of the allocated 2 days allowed per year for Sport and Culture will be used for the requested religious day[s]
OR

The date when the lost formal school day will be worked in during the same term must be specified; if 2 days per year in total is exceeded.

NOTE: Where the religious days and the days for Sport and Culture in total [together] exceed 2 days per year, the lost day[s] must be worked in.

NB: Only the **Head of Education of the WCED** or his delegate may approve the closing of a school for whatever purpose or reason. No one else has the authority to close a school during a school term, without permission from the Head of Education.

Management Arrangements:

Governing bodies of schools that apply for the closing of the school for religious purposes should note that the allocated 2 days per year that schools may use for Sport and Cultural activities, may alternatively be used for religious days. However, the number of allocated days may **not** be exceeded. Therefore

- i] If both a sport and cultural day are used, as well as a religious day, then the religious day must be worked in during the same term.
- ii] If only one [or both] of the allocated days are used and no other day is applied for, the day[s] need not be worked in.
- iii] Schools' applications must be according to the prescriptions in the National Policy for Designing School Calendars... par. 3.1.7 and 3.1.8.

NOTE: Schools must apply timeously to the Head of Education, via the Circuit Manager, for approval to use the allocated days for sport and cultural activities, or to close the school for religious purposes, in all cases.

11.6 Funerals

When a person connected to an education institution dies, and that institution wishes to honour the deceased with attendance at the funeral or a service which is held during the formal school day, application for approval must be made via the circuit manager to the EMDC Director. The following conditions will apply:

- i] The deceased must have been a learner or an educator.
- ii] A delegation from the institution, approved by the EMDC Director, may attend the funeral or service on behalf of the institution.
- iii] The EMDC Director must approve the time allowed for attending the funeral.
- iv] Provision must be made for the continuance of scheduled teaching time.
- v] The time away from school during the formal school day, for the representatives, must be recorded in the time-off register and it must indicate what it was for.

In all special circumstances when the whole school wants to attend or hold a funeral service, application to adapt the time of a formal school day must be made timeously via the Circuit Manager to the EMDC Director and approval for it received **before** the time. Any information requested by the EMDC in support of the application must be provided. Scheduled teaching time may not be shortened unnecessarily, or it should be worked in during the same week.

12 ATTENDANCE RECORDS

[See Regulations regarding the Terms and Conditions of Employment of Educators promulgated in terms of the Employment of Educators Act, 1998, regulation 24, and PAM Chapter G.]

12.1 Registers

All schools must have an **attendance record system** for all educators at the school, inclusive of the principal. Attendance record systems may be on computer or in book form [registers]. Principals are responsible for keeping and controlling the following attendance records [registers].

- i] A **Daily Attendance Register** for all educators at the school, to record attendance of the formal school day.
- ii] A **Time-off Register** indicating time and date away from school per hour for all educators, when any time-off is allowed to educators.

NB: These records and/or registers must be made available to departmental officials on request. [Also see Circular 0040/2002 and 97/2002.]

12.2 Computerized Systems:

Schools that already use advanced systems, and schools that keep their systems on computer, may continue to do so, provided that the system that is used [daily attendance and time-off], can, when necessary, supply the required information and can be used for verification. It is, therefore, recommended that the following be put in place:

- a) Physical proof of all arrival and departure times for all educators, whether on paper with a signature, or a special code or card if such a system is used.
- b) Correct keeping and filing of all relevant documentation.
- c) Correct and daily updating of the system on computer.
- d) Daily making of a back-up copy of the system onto a stiffy disk or CD.
- e) Safe keeping of each year's system on a disk or CD.
The attendance information on the computer need only to be printed when it is required as a hard [paper] copy. A hard [paper] copy need not be kept if the information is stored on a computer disk.

Where any further doubt exists about the system that the school uses, the principal must clarify the matter with the school's circuit manager.

12.3 General Procedures for Registers

- a) In the principal's absence, the responsibility for the registers automatically devolves upon the deputy-principal or another [most senior] educator in smaller schools.
 - b) These registers [and related files] must be kept in a safe place.
 - c) Educators have the right to their personal information as reflected in these registers.
 - d) For copying purposes, all entries must be made in black ink only.
 - e) For any additions, alterations or corrections that need to be made, the original entry must be deleted by drawing a straight line in black ink through it. The correction must be written above that and the principal must initial next to the change. Correction fluid may not be used.
 - f) All old [full] registers must be stored, in date sequence, in a safe place for reference and auditing purposes.
 - g) New registers:
 - i) Electronic copies [on computer disk or CD] of the registers are available at the EMDCs. Schools may acquire and use these copies to print new registers, OR
 - ii) Request a new register from the Directorate: Logistical Services at Head Office.
- NOTE:** The use of loose pages is not recommended as these registers contain important information, which may get lost.

12.4 Time-off

Principals and circuit managers must acquaint themselves with the requirements and conditions for granting time-off to educators. Please study PAM chapter G in the Education Law and Policy Handbook provided to all schools, WCED

Circulars

40/2002, 97/2002 and 162/2002, and the PELRCs "Common Understanding of the Interpretation and Implementation of

the Time-off provisions", which can be obtained from the WCED's Directorate: Labour Relations.

12.4.1 "Ordinary" time-off in terms of WCED Circular 40/2002

Although PAM Chapter G does not make provision for "ordinary time-off for urgent private matters " for educators who are not union representatives, in terms of the PAM Chapter A par 3.2 a) and as indicated in the WCED Circular 40/2002 par. 2.2.2, any educator may, with the permission of the principal [or the CM if a Principal] be allowed time-off during the formal school day for urgent private matters, which exclude union activities. The amount of time-off and the frequency thereof should be reasonable and fair and should not interrupt the teaching and learning process unnecessarily. It is the responsibility of the principal to take care not to allow time-off to be abused and he/she must use his/her discretion to ascertain the urgency and validity of requests.

Please Note: This 'ordinary time-off' is for a period of time away from school during the formal school day, and is not leave as indicated in Circular 60/2003.

- 12.4.2 The principal, as the delegated keeper of the Time-off Register, must ensure that the Directorate Labour Relations is immediately informed as soon as an educator has exceeded his/her time-off entitlement for union activities, and must provide a copy of this correspondence to the relevant Union and the educator.

13 COMPLIANCE WITH THIS POLICY

- 13.1 It is the responsibility of the principal to manage the attendance of all staff at the school and to operate within the policy, and he/she is accountable with regard to this task.

- 13.2 The principal and circuit manager, as the authorised persons on behalf of the Western Cape Education Department, have the responsibility and obligation to demand compliance with this management policy from all educators on the school's staff and in his/her circuit. Therefore, all principals and circuit managers should regularly verify compliance with this policy.
- 13.3 Other Departmental officials who visit an institution, for whatever reason, must point out any non-compliance that is noticed to the principal and must report the event to the relevant EMDC. Each EMDC is responsible for implementing measures to improve and monitor compliance.
- 13.4 Failure to comply with the requirements of the policy may result in disciplinary procedures against an educator. When a negative incident has been reported against an educator, it will be deemed as "alleged misconduct". In such an event the prescribed process for disciplinary procedures will be instituted. [See Employment of Educators Act: Schedule 2 added by section 15 of the Amendment Act 53 of 2000, in the Education Law and Policy Handbook.]

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