SCHOOL DEVELOPMENT DAYS – FAQs

Implementation document for Professional Learning policy

Q1. Why would a School Development Day (SDD) be rescheduled?

Principals are accountable for developing and sustaining a positive, supportive culture that is focused on the continuous improvement of teaching practice to strategically enhance student progress and achievement. The SDD is an important component in achieving continuous improvement through ongoing professional learning. When a principal deems it necessary to reschedule a school development day, the proposed change should best support staff to achieve high quality teaching practice consistent with the Performance and Development Framework for Principals, Executive and Teachers in NSW Public School (2015). A change in any of the school development days in terms 2, 3 or 4 needs a rationale which could include:

- lack of availability of professional learning providers
- collaborative professional opportunities across schools
- the requirement to complete professional learning in order to meet a milestone outlined in the school plan.

Q2. Who needs to be involved in school development days?

Five school development days are made available each year for teaching staff: the first two days of the school year, the first day of terms 2 and 3 and the last day of term 4. Three school development days are made available each year for non-teaching staff: the first day of the school year, and the first day of terms 2 and 3. If principals require non-teaching staff to attend any extra school development days, they will need to be negotiate this with the non-teaching staff at their school.

Q3. Can the term 1 school development days be rescheduled?

The term 1 school development days cannot be rescheduled. The first of these two school development days is the gazetted date for school operations to begin in the new year.

Q4. How can the school development days during terms 2 and 3 be changed?

To reschedule one or both of the school development days during terms 2 and 3, the School Development Days - Notification of variation is to be completed and forwarded to the Director Educational Leadership at least 4 weeks prior to the rescheduled date. School development days in terms 2 and 3 can be moved to another gazetted school day within the term, but not be moved to after hours, weekends or school holidays in-lieu of a gazetted school day. Communication with the school community is important. Sufficient notice needs to be given whenever changes are made to the scheduling of school development days.

Q5. Can the term 4 school development day be changed to another gazetted school day?

While the last school development day of term 4 can be varied, it cannot be rescheduled to another gazetted school day. This day can be moved to a weekend, after school hours, and holidays following terms 1, 2 and 3. It can be held in the summer holiday, but not in the period between Christmas and
New Year. Communication with the school community is important. Sufficient notice needs to be given whenever changes are made to the scheduling of school development days. School Development Days - Notification of variation is to be completed and forwarded to the Director Educational Leadership at least 4 weeks prior to the rescheduled days.

Q6. Is the school development day on the last day of term 4 for all staff?
The school development day on the last day of term 4 is only for teachers, unless local arrangements have been negotiated with non-teaching staff that enable them to participate in professional learning that is relevant to their needs.

Q7. What consultation is required to reschedule a school development day in terms 2 or 3?
Principals need to consult with all members of their staff, including those on various forms of leave, temporary and part-time staff. Principals should refer staff to the School Development Days Procedures and Frequently Asked Questions. Consultation must also occur with members of the school community. Where established, this should occur via a Parents and Citizens Association, School Council or local school reference group in Connected Community schools. Records are to be saved and filed including meeting minutes and communication provided to parents. This communication could be distributed through newsletters, emails, apps, social media, school websites and via telephone.

Principals are to complete School Development Days - Notification of variation and forward it to their Director Educational Leadership at least 4 weeks prior to the rescheduled days.

Q8. How does a principal make their decision about the rescheduling of the school development day in term 4?
Prior to making the decision to reschedule the school development day, principals need to evaluate the effectiveness of professional learning that is not provided for all staff. While 51% represents agreement of staff, the merit of offering the professional learning to a small percentage of staff must be considered. If the decision is made to reschedule a school development day, principals should note the need to provide appropriate professional learning opportunities to all staff. Principals should make provision for professional learning to occur on the last day of the year for staff who could not attend a rescheduled day.

Q9. What constitutes a half day when rescheduling a school development day?
For teaching staff, a half day is a minimum 3 hours in length, dependent on school routine and including appropriate breaks.

Q10. Which external providers can be engaged by a school to deliver professional learning?
External providers can include:
- staff from other schools
- NSW Department of Education State Office Directorates
- other agencies
- private professional learning providers.

Q11. Can mandatory training be delivered on rescheduled school development days?
Yes
Q12. Can the first two school development days of term 1 be rescheduled?
No

Q13. If the term 4 school development day is rescheduled, can the school be non-operational on the final day of term 4?

Where all non-teaching staff and teaching staff have participated in the rescheduled school development day, a school could be non-operational on last day of term 4. The rescheduling of the school development days must be according to the procedures in Section 4 of the School Development Days: Procedures (2020).

Q14. If the last day of term 4 is rescheduled, what provisions must be in place to ensure WHS and duty of care requirements are met?

If, after consultation, a principal determines to reschedule the term 4 school development day, a risk assessment must be conducted. In managing risks, the health and safety of staff must be ensured. Obligations for employees who are on return to work plans must also be considered.

Q15. If staff members do not attend the rescheduled term 4 school development day, what plans must be put in place for their professional learning?

Full-time staff members are required to attend allocated school development day activities. However, if they are unable to attend the rescheduled day/s, the following alternative arrangements should be considered:

- staff members participating in professional learning activities at an alternate time
- staff members participating in professional learning activities on the last day of term 4.

Q16. What happens if staff are ill on the rescheduled term 4 school development day and later submit an application for leave?

Staff are unable to submit leave applications for re-scheduled day/s. An employee who does not attend a rescheduled day needs to be on duty for the last day at the end of term 4.

Q17. What are the arrangements for temporary and part-time teaching staff who attend school development days in terms 1, 2 and 3?

- Where a school development day is held on a day that a permanent part-time or temporary part-time teacher usually works there is no impact.
- Where a school development day is held on a day that a permanent part-time or temporary part-time teacher does not work, the following options are available and can be managed at the local level depending on need and/or whether the training is for compliance purposes:
  - the teacher by election/agreement with the principal does not attend; or
  - the teacher attends and has one of their usual workdays off in-lieu that immediately follows the school development day; or
  - the teacher attends and is paid as a casual teacher for that day.

Where a casual teacher attends a school development day they are paid for that day.
Q18. What are the arrangements for temporary and part-time teaching staff who attend a rescheduled term 4 school development day? How are these staff members paid?

- The ability to reschedule the term 4 school development day is based on the premise of a day in-lieu and is not intended to impact on payroll.
- For employees who are permanent full-time or permanent part-time, the rescheduling of a school development day should have no impact on an employee’s pay.
- For example, in 2021 the term 4 school development day is scheduled for Friday 17 December.

Permanent and temporary full-time teaching staff could work up to and including Thursday 16 December and receive Friday 17 December as a day off in-lieu on normal pay.

Permanent and temporary part-time teaching staff who normally work Friday would also finish work for the term on Thursday 16 December and receive Friday 17 December as time-in-lieu on normal pay.

Permanent and temporary part-time teaching staff who do not normally work Friday and who participated in the rescheduled school development days would either:

- work up to and including Wednesday 15 December and have Thursday 16 December as a day off in-lieu on normal pay; or
- work up to and including Thursday 16 December and receive payment as a casual on Friday 17 December.

Permanent and temporary part-time teaching staff who do not normally work Friday and who did not participate in the rescheduled school development day by agreement with their principal, would finish work on Thursday 16 December.

Casual teachers who participated in the rescheduled school development day would be paid as a casual on Friday 17 December.

Q19. What are the arrangements for a teacher on leave who wishes to attend the rescheduled school development days in term 4?

A teacher on leave is able to attend the rescheduled school development day. The rescheduled term 4 school development day occurs on weekends, during school holidays or after hours. This has no impact on the type of leave a staff member might be on at the time, rather, they are performing work they will be paid for in the last day of term 4.

Q20. What happens if a teacher who has attended a rescheduled term 4 school development day changes schools?

This is to be discussed and negotiated with the principal at the new school. A teacher, who changes schools after attending a rescheduled school development day, would not be required to attend the days at their new school.

Q21. Are non-teaching staff able to attend rescheduled term 4 school development days?

In the event that a principal asks non-teaching staff to be included in rescheduled term 4 school development days, the principal should ensure staff members are aware of the different industrial arrangements which may apply to them, such as averaging of hours, overtime and time-in-lieu of overtime for non-teaching staff. The school is to fund any additional staffing costs associated with these arrangements.
As a general principle, these professional learning activities would be those relevant to all staff, such as mandatory training. The rescheduled professional learning is to occur in a minimum of half-days in order to provide adequate time for development activities to occur.

Q22. What are the options for non-teaching staff who participate in term 4 rescheduled school development day/s?

Related information: Crown Employees (School Administrative and Support Staff) Award

There are a variety of options available to schools who may wish to reschedule a school development day and require non-teaching staff to attend on the rescheduled day. The following example demonstrates the arrangements for non-teaching staff who participate in the rescheduled school development day of 7 hours on 17 December 2021.

**Option 1**

The school could reschedule the school development day to a day during the school holidays. For example, rescheduling the day to 4 July 2021 that falls in the July school holidays.

Normally, permanent and long-term temporary non-teaching staff would receive additional payments for working on a school vacation day. However, in the context of rescheduled school development days, this is considered a direct swap of 17 December 2021 with 4 July 2021 provided the usual hours are worked on 4 July 2021.

The non-teaching staff member will receive normal vacation payment and normal pay for Friday 17 December 2021, but will not be required to work on that day.

**Option 2**

The school could reschedule the school development day activities to be conducted after school finishes for 3 hours each over two days during term time.

If the staff member attended the school development activity after school, they would be entitled to be paid for the:

- additional hours, being those hours beyond normal hours of duty to a maximum of 7 hours in a day; and
- overtime

**Option 3**

The school could reschedule the school development day to a day over the weekend. For example, to Saturday 11 September 2021.

If the non-teaching staff member attended for that activity and was required to work for 7 hours on the Saturday, they would be entitled to be paid overtime for all hours.

Any additional hours worked must be paid to the employee. However, employees who, at the direction of their principal, work overtime, may elect to take time-in-lieu of payment for all or part of the entitlement for the time worked.

**Time-in-lieu of overtime:**

- can only be taken in multiples of a quarter day;
- is to be taken at the convenience of the school; and
- is generally taken within 3 months of the date of accrual.
If there is a balance of an overtime entitlement that has not been taken as time-in-lieu, the non-teaching staff member is entitled to be paid the balance.

The decision as to whether an employee wishes to take time-in-lieu is a matter for an individual employee. The employee cannot be required to take time-in-lieu instead of receiving payment.

Time-in-lieu, if agreed by the employee could be the vehicle for non-teaching staff to not attend work on the last two days of term 4 where they have participated in a rescheduled school development day as shown in option 2 and 3 above.

For further information about this please contact Industrial Relations on 9561 8780 or EDConnect Shared Services Bathurst on 1300 323232.

Please note from the current industrial award:

- Full time School Administrative Support Staff (except Business Managers) work either 31 hours 15 minutes or 33 hours 20 minutes per week. This group of staff can work up to 7 hours per day equating to 35 hours per week (Monday-Friday) as additional hours (paid at standard rate x 1.15).
- Beyond 7 hours per day, School Administrative Support Staff are entitled to overtime at the rate of time and half for the first two hours and then double time thereafter.
- For work on Saturday the first two hours is at the rate of time and a half and double time thereafter. For work on a Sunday the rate is double time. Saturday and Sunday work also has a minimum engagement of 3 hours.

**Q23. Can a member of the school community or parent attend rescheduled school development day activities?**

Principals are encouraged to support the attendance of members of the school community and parents at rescheduled school development days, but this is at the discretion of the principal.

**Contact for further information**

Director Quality Teaching Practice

Teaching Quality and Impact Directorate

Email: TeachingQualityandImpactCorrespondence@det.nsw.edu.au