

Additional Bank Holiday Guidance

Monday 19 September 2022, the date of Her Majesty Queen Elizabeth II's State Funeral, will be a national bank holiday.

As explained in the recent DfE advisory Guidance ([National Mourning Advisory Education Guidance Sept22](#)) Schools are not expected to remain open on the bank holiday and should treat this date as any normal bank holiday.

Support Staff

On 12 September 2022 the NJC issued guidance ([NJC Circular](#)) for working arrangements during the State Funeral affecting all employees on NJC terms and conditions. In accordance with Part 2 Para 7.1 of the Green Book, all employees will be entitled to a holiday with a normal day's pay on the additional bank holiday (pro-rata for part-time employees).

Whilst there are a multitude of remuneration arrangements in place across workplaces, all employers will need to ensure that part-time staff are provided with a pro-rata entitlement for the additional bank holiday.

Specific guidance in relation to Term-Time only (TTO) employees is also provided within the guidance.

Part-Time staff – Bank Holiday falling on a non-working day

Where an employee would not normally work a Monday (the day of the bank holiday) they should be in some other way compensated. For employees with a bookable annual leave entitlement it is likely the employee will receive an additional amount of paid leave to book at another time during their normal working hours. For employees, such as TTO employees that receive a holiday pay payment the amount owed will need to be recalculated and payroll informed of any separate payments due to individuals.

Teaching Staff

The DfE guidance explains that the bank holiday announcement will not mean teachers will be required to teach an additional day at another point in the academic year. There will be a reduction made to the minimum number of sessions for this school year (22/23) via regulations as well as changes to the definitions in the School Teachers' Pay and Conditions Document (STPCD) for 2022/23 (*not yet published*).

Minimum School Sessions

[The Education \(School Day and School Year\) \(England\) Regulations 1999](#) sets out arrangements for the school year. Each school day is split into two "sessions"; split by a break in the middle of the day commonly.

At least 380 sessions shall be held at a school during any school year. However, as a result of the additional bank holiday and similar to the arrangements for the additional bank holiday in 2021/22 (Platinum Jubilee) the minimum number of school sessions will be reduced to 378 from the normal 380.

Teaching Days

Full time teachers can be required to teach on 190 days of a year (made up of 380 sessions) and can be required to attend for 5 non-teaching days (commonly referred to as either Inset, training or professional development days).

However, as a result of the additional bank holiday and similar to the arrangements for the additional bank holiday in 2021/22 (Platinum Jubilee) a full time teachers teaching-days will be adjusted to 189 days of the year 2022/23.

For part-time teachers the 'teaching days' will be a pro-rata amount of the 189 days and a pro-rata amount of the 5 non-teaching days.

Directed Time

Full-time Teachers

Full-time teachers employed under the STPCD must normally be available to perform any activities or tasks for 1,265 hours across the school year on the days they're required to be available for work.

The School Teachers' Pay and Conditions Document for 2022/23 academic year has yet to be published however, as the 2021 STPCD was adjusted to reflect the additional bank holiday for the Platinum Jubilee we can expect the arrangements and adjustments to be the same or very similar.

Therefore, the directed time for the academic year 2022/23 is reduced from a maximum of 1,265 hours to 1,258.5 hours, spread over the 189 teaching days plus 5 inset days = 194 days.

Part-time Teachers

Arrangements for part-time teachers in relation to the conditions of their employment mirror those of a full-time teacher. The STPCD sets out working-time arrangements for part-time teachers ([paragraph 51](#) page 83). Part-time teachers directed time should be a percentage of those of a full-time teacher. In a normal school year this would be a percentage of 1,265 however, as a result of the additional bank holiday and similar to the arrangements for the additional bank holiday in 2021/22 (Platinum Jubilee) this should be a percentage of 1258.5 hours for the year 2022/23.

Again, it is important to ensure that directed time is proportionate between teaching days and non-teaching days, as set out in the section above.

Example calculations for part-time teacher directed time:

- A teacher works 0.5fte therefore they must be available for 50% of the 1258.5 hours ($1258.5 / 2 = 629.25$ hours)
- A teacher works 0.8fte therefore they must be available for 80% of the 1258.5 hours ($1258.5 / 100 \times 0.8 = 1006.8$ hours)

It is not possible to address all the potential contractual nuances across organisations however we would encourage you to contact your HR professional if unsure how best to approach a specific local situation for advice and guidance.