NYHR

Implementing term-time working arrangements - Actions for schools

NYHR has produced this guidance to help schools implement the NYCC arrangements for term-time working across all Local Authority services, as agreed with Unison. These arrangements apply to support staff in maintained schools only.

Background

NYCC has agreed formal arrangements for the calculation of pay and leave for term-time employees. These take effect from 1 September 2020 and are based on the principles incorporated into the National Green Book. They aim to ensure that term-time workers receive a pro-rata entitlement to the pay and benefits of a comparable full-year employee.

The complexity of term-time working arrangements arises primarily because term-time working days are not evenly spaced throughout the year due to the longer summer closure period. Additionally, term-time employees have 'unpaid' time during the year when they are either not working or not on paid leave. However, salary for term time workers is paid in 12 equal parts to provide a constant income for employees and for administrative simplicity. Therefore, the situation will arise where the employee has worked either more or less than the days for which they have been paid. This only becomes an issue when term-time employees do not work the complete leave year or have a period of extended absence, for example, due to maternity or sickness absence.

The published Term-time Working Arrangements include example showing the pay and leave adjustment calculations required. These will be undertaken for schools by ESS, however, schools need to ensure they inform their staff where a pay adjustment is required. What does this mean for you?

Initial actions

These are the actions which schools are recommended to take as a result of the implementation of the new arrangements:

- Notify **existing term-time employees** of the new arrangements and any implications for them. NYHR have produced a current employee FAQ document and schools are advised to provide existing term-time workers with a copy of this
- Identify any term-time employees who are **currently absent**, for example due to maternity or sickness absence, and whether appropriate provision has been made for their leave

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Process changes

The following are actions which it is recommended that schools make to other processes as a result of the term-time working arrangements:

- Include information in **recruitment documentation** or application packs where an adjusted pro rata salary is due in the first year of employment. The NYHR new employee FAQ document could be included in recruitment documentation.
- Ensure **new term-time employees** are informed of the basis on which their pay and leave is calculated. The NYHR new employee FAQ document could be included with offer letters and contractual documentation.
- Build in discussions about taking leave when employees are planning **new periods of maternity, adoption or shared parental leave**
- Include discussions around leave in **sickness review meetings** where appropriate. Employees may wish to request periods of leave during long-term sickness absence.
- When employees **submit their resignation**, make them aware that there may be a pay adjustment to their final pay.
- **Notify ESS** when a term-time worker leaves employment and ask them to do a pay calculation.
- As part of an **annual discussion**, ensure that term-time employees are working the correct number of hours over the year and agree any arrangements for training days if relevant.

Further information

Please see the Term-time Working Arrangements for detailed guidance and examples on calculating term-time pay and leave.

Contact your NYHR advisor or contact the NYHR helpline on (01609) 798343 or by email on NYHR@northyorks.gov.uk.