

22 June 2018

JS/18/73

**SNCT Pay and Leave Specification
Frequently Asked Questions – FAQs**

Dear Colleague

The SNCT has considered a number of frequently asked questions regarding the National Pay and Leave Specification and has developed answers. The questions supplement the SNCT provisions relating to the National Pay and Leave Specification set out in the SNCT Handbook, Part 2 and in Appendix 2.19.

- 1. As we are all paying 50% of 1/12th for a new start at the start of the academic session, how is this fair given different authorities start on different dates?**

The salary is paid on an average basis. Therefore, by the end of the academic session, this equalises out. An exact calculation is done if a mid-year change occurs.

- 2. Our accountants feel we are overpaying in August? Is this correct?**

As per the answer to question 1, this is not the case as we pay on an average annual salary basis.

- 3. A teacher appointed to a promoted post in the first month of his/her increased salary has received less net pay than the previous month. How can this be?**

Teachers accrue holidays during the academic session based on the pupil days (190) and the in-service days (5). They accrue annual leave at the rate of 0.20513 per day for each day worked. As the average salary moving forward includes 1.5/12th (this being the 1/12th for July plus 1/24th for August) in the summer holiday period, this is more holiday pay than that accrued at the new rate. This is offset in the first month as the teacher.

- 4. In the first month, some employees are in receipt of negative salary. How can this be?**

Please refer to the answer to question 3 above. As the salary they will receive averages until the end of the academic session is more than the exact salary due, it is offset in the first month. However, if they have moved from another Scottish Local

Authority, they will have received a balance of leave transfer from that Council and should have been paid by that Council.

5. What happens if new appointments have not come from another Scottish Local Authority?

The specification suggests that if the pay for the month is less than 70% of the pay for the days worked in the month, the negative balance should be spread across the remainder of the year.

6. How do we explain the unusual calculations to staff?

The specification includes a template letter.

7. A Head Teacher/Deputy Head Teacher has been appointed to a QIO post on the same salary, but in the first month after appointment was paid less. Why is this?

A teacher's calculation being based on the daily rate of 1/235 whereas the calculation for a QIO is based on the leave year for Scottish Joint Council employees which is different.

8. How does this fit to SPPA requirements?

The SPPA will issue guidance on how to deal with this. The SNCT is in continuing to progress discussions with SPPA.

9. We note unpaid leave includes an uprate for accrued holidays, should we deduct salary for days engaged in industrial action in the same way?

No. A day of industrial action can be deducted at the daily rate for teachers of 1/235.

10. Sick pay is the same daily amount which sometimes leads to an employee receiving more or less than have a month's pay. How has this been resolved?

It is important that a day's sick pay is the same irrespective of the length of month. Accordingly, the sick pay calculator shows the monthly offset carry forward amount for full, half and no pay situations. This may mean a balance of sick pay is required in the month following return.

11. At the time of the changes what happens regarding sick pay calculations for staff currently off (ie off prior to the changes in calculation and continuing after the changes)?

The SNCT have been advised by payroll providers that it may be problematic to have split calculations. It is, therefore, recommended that any staff whose absence has commenced under one set of calculations should have current sickness concluded based on the calculations in use at the start of the absence. Only new absence should use the revised calculations. However, where payroll providers can accommodate split calculations this is acceptable, as long as there is no detriment to individual teachers.

12. As the calculation for working out final pay before maternity and first pay after maternity is based on 365th, how do we calculate pay before after and during maternity to ensure this is based on a full year's salary, which is based on 235th?

The basis of a different calculation (365th) for final pay before and first pay after maternity is to ensure no overpayment occurs due to full pay during maternity being based on 7/365th for each week. This ensure a consistent approach to pay for the year of maternity.

Using the calculator in the specification the final pay before maternity is determined by the number of weeks' pay (based on 7/365ths for each complete week) from the start of session, this is then offset against the number of complete 1/12ths (and 50%) for August paid since the start of session to determine the actual payment due in the final month before maternity.

During maternity a full week's pay is determined by 7/365ths for each week of maternity.

On return from maternity the first pay is determined by the number of weeks' pay (based on 7/365ths for each complete week) until the end of session, this is then offset against the number of complete 1/12ths (and 50%) for August that will be paid until the end of session to determine the actual payment due in the first month of return.

It is important that over all 3 calculations the total calendar days amount to 365.

13. Must every Council deliver on the specification?

From August 2018, all Councils must use the full details of the specification. If there is dispute, the SNCT will make rulings on overpayments or underpayments based on the new pay and leave specification as outlined in Appendix 2.19 of the SNCT Handbook.

These FAQs will be published on th SNCT website and amended or added to as appropriate.

Yours sincerely

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