



SOUTH AYRSHIRE COUNCIL

JOINT NEGOTIATING COMMITTEE
FOR TEACHERS

Arrangements for Employment of
Supply/Temporary Teachers
(JNCT1.17)

(Under review)

1 Introduction

- 1.1 The Scottish Joint Negotiating Committee for Teachers (SJNCT) reached agreement IN 2011 on revisions to teachers' terms and conditions which introduced two different types of temporary work – Short Term Supply or Fixed Term Temporary.
- 1.2 Short term supply teachers will be paid at Point 1 of the main grade scale and are not expected to carry out the full range of duties normally undertaken by a fixed term or permanent teacher.
- 1.3 Fixed term temporary teachers will be paid on the main grade scale at the relevant incremental point during their period of engagement and are expected to carry out the full range of duties as contained in the SNCT Handbook.
- 1.4 The SNCT have issued two new Codes of Practice governing the use of Fixed Term Temporary Teachers and Short Term Supply Teachers, copies of which can be found in Appendices A and B of this agreement.

2 Definition of Periods of Engagement

- 2.1 Short term supply work is deemed to be where a teacher is engaged for a period of work of 2 days or fewer on a single period of engagement.
- 2.2 Fixed term temporary employment is where the period of work is known at the outset to be greater than 2 days in duration OR where a short term supply teacher continues to work on the same period of engagement for over 2 days.
- 2.3 South Ayrshire Joint Negotiating Committee for Teachers (JNCT) has, through workshops with Head Teachers, identified a number of frequently asked questions and answers relating to the definition of periods of engagement and other matters. It has been agreed that these will be regularly updated in light of working experience and will be posted on the SNCT website in order the all teaching staff can access when required.

3 Payment

- 3.1 The payment of both fixed term and short term supply teachers is outlined in Part 2, Section 1 of the SNCT Handbook. Authorisation should be sought from the Council for payment in accordance with the provision of the SNCT Handbook in circumstances where a short term supply teacher is asked to take on the full range of duties of a teacher before the engagement extends beyond 2 days.
- 3.2 The JNCT has agreed that holiday pay for short term supply teachers will be accrued at a rate of 0.2052 per day and paid to the short term supply teacher on a monthly basis along with any salary for work undertaken that month.
- 3.3 The JNCT have further agreed that there will be no change to the current holiday pay arrangements for fixed term temporary teachers therefore they will also accrue annual leave at 0.2052 per day but will be paid this at the 5 holiday periods annually agreed by the JNCT
- 3.4 Teachers on fixed term temporary contracts will potentially be eligible for sick pay if they are too sick to report for work providing they have met the necessary qualifying period.

- 3.5 If a teacher on a short term supply contracts is unable to report for work for any reason, no pay for the unworked hours/days will be made and the contract will cease.
- 3.6 Arrangements must be in place to enable a teacher to determine from their payslip how many hours they have been paid for short term supply work or how many days they have worked as a fixed term temporary teacher.
- 3.7 The JNCT recognise that both short term supply and fixed term temporary work counts towards the calculation of increments against a teacher's normal main grade scale. An exercise will be undertaken annually to determine the number of days work undertaken by each teacher on the supply list and this will be notified to each teacher along with confirmation of the impact on their main grade salary placing.

4. Duties

- 4.1 Fixed term temporary teachers are expected to carry out the full range of teacher duties outlined in the SNCT handbook.
- 4.2 Short term supply teachers will have a reduced range of duties as detailed in SNCT Handbook, Part 2, Section 2 and summarised below:
 - Teaching assigned classes
 - Correction of work, as part of ongoing class work
 - Maintaining a record of work
 - Contributing towards good order in the school

5 Working Hours

- 5.1 Fixed term temporary teachers can be employed for up to 35 hours per week (7 hours per day) or on a part time basis depending on the needs of the service. Class contact time must never exceed 22.5 hours per week for a full time temporary teacher and will be pro-rata for a part time teacher. A Ready Reckoner for establishing maximum class contact time and hours of work and will be made available for reference.
- 5.2 A short term supply teacher may be engaged to teach for the whole pupil day. A short term supply teacher will not be deployed for more than one discrete block of time in any day. A discrete block of time will be a full day or half a day. In all cases the supply teacher will receive an automatic 10% pay uplift of the class contact time for preparation and correction time. The JNCT has agreed to take into account the length of the pupil day in nursery, primary and secondary schools. in order that schools have the ability to vary the hours worked in a period of engagement.
- 5.3 During a short term engagement Headteachers may deploy the supply teacher for full pupil contact hours but this deployment should be clear to the supply teacher at the outset of the engagement .
- 5.4 JNCT acknowledges that short term supply teachers should be offered work in discrete blocks. Schools should therefore not offer a pattern of employment where there are large gaps of non working time during the course of the day. Eg could not offer first period then last period only.

The JNCT have agreed Quick Guides for reckoning the hours of work to be paid and maximum class contact time of short term supply teachers. Appendix C outlines the position for primary, nursery and special schools and also for secondary schools.

6 Job Share or Permanent Part Time Teaching Staff undertaking additional Temporary Hours

- 6.1 Where a job share or permanent part time teacher is offered additional temporary hours in their own school and in their own class, stage or grade they will be entitled to be paid as fixed term supply teachers at their normal rate of pay and for up to 7 hours per day.
- 6.2 Where a job share or permanent teacher is offered additional temporary hours for any other class within their own school or any class in another school and the period of engagement is for less than 2 days, they will be paid as short term supply teacher on point 1 of the main grade scale carrying out reduced range of duties.

7 Record Keeping

- 7.1 Schools must direct all requests for temporary or supply work through the South Ayrshire Helpline. This will ensure that the teacher being offered employment can be made fully aware of the period of engagement, the reason for engagement and the hours/salary which will be applicable.
- 7.2 Schools must ask short term supply teachers to sign a copy of the Helpline Booking form when they report for duty and retain a signed copy in school.
- 7.3 Fixed term temporary teachers will receive a contract of employment for each period of engagement.
- 7.4 Short term supply teachers will not receive separate contracts for each period of work. All existing and any new teachers on the supply list will receive a letter advising them of the terms of engagement for short term supply or fixed term employment. A sample letter is attached as Appendix D. Thereafter schools must ensure that all supply teachers are advised of where they can pick up the PYOL23 payment sheet at the end of each month. This will be considered as the teacher's record of work.

CODE OF PRACTICE ON THE USE OF FIXED TERM TEMPORARY CONTRACTS

1. INTRODUCTION

- 1.1 The aim of this Code of Practice is to establish good practice on the use of fixed term temporary contracts. Fixed term temporary contracts will be issued for engagements which extend beyond 5 days. Teachers on fixed term temporary contracts will fulfil the full range of duties of teachers and will be engaged for 35 hours per week or on a pro rata basis according to the contract.
- 1.2 The SNCT recognises the important contribution made by teachers on fixed term temporary contracts, many of whom go on to hold permanent contracts. The SNCT believes that it is essential that teachers on fixed term temporary contracts are treated in the same way as permanent staff and given access to appropriate induction, training and support.
- 1.3 The Code of Practice takes into account the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002, as well as Part-Time Workers (Prevention of Less Favourable Treatment) and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

2. PURPOSE

- 2.1 The purpose of the Code of Practice is to enhance the principles of a professional service by helping councils to manage their staffing requirements in a co-ordinated and structured way. This must be responsive to service needs whilst, at the same time, providing teachers with access to secure employment opportunities, wherever possible.
- 2.2 The Code of Practice aims to ensure that employees on fixed term temporary contracts are not treated less favourably than permanent employees.
- 2.3 It is recognised that there will be teachers who may be employed on fixed term temporary contracts for significant periods of time. In such cases the letter of appointment must clarify the expected length of appointment or the event that will bring a contract to an end.

3. Fixed-Term Requirement

The SNCT recognises that a council may need a teacher to work other than on a permanent basis.

- 3.1 Where it becomes clear that the need for a temporary replacement is likely to be ongoing or lengthy, then the individual should be issued with a fixed-term temporary contract as set out in 3.2 below.
- 3.2 Where it is known from the outset the reasons for the temporary requirement and its likely duration or in circumstances set out in 3.1 above, a fixed term temporary contract of employment will be issued as soon as possible, specifying entitlement to pay and conditions of service and detailing the expected duration and reason for the appointment.
- 3.3 A fixed term temporary contract will have a clear end date which relates to:
- a specified expiry date;
 - the completion of a specified task;
 - the occurrence of a supervening event;
- 3.4 The use of a fixed term temporary appointment may be made in a number of circumstances including the following:
- maternity leave;
 - parental leave;
 - adoption leave;
 - career break;
 - long term sickness absence;
 - secondment;
 - sabbaticals
 - staffing from time limited funding; and
 - pattern of recurrent work

4. RECRUITMENT

- 4.1 Every teacher recruited to undertake work on a fixed term temporary basis will be appointed in accordance with that council's recruitment procedures.
- 4.2 Following this process, such teachers will be placed on a register of approved teachers maintained for these purposes.

5. TRANSFER TO PERMANENT STATUS

- 5.1 Movement to a permanent post will be open to temporary teachers through normal application. Temporary teachers should be provided with the same access to information on vacancies for permanent posts as is provided to existing permanent post holders.
- 5.2 Transfer to a council's permanent staff will also be through arrangements agreed by the LNCT.
- 5.3 Under the Fixed Term Employees Regulations 2002 any temporary contract extended beyond four years will be made permanent, unless the authority can objectively justify not doing so.
- 5.4 Fixed term temporary employees should not be selected for redundancy on the grounds of their employment status. Any selection for redundancy must be objectively justified.

6. SNCT HANDBOOK

- 6.1 The pay, duties and hours of work of teachers on fixed term temporary contracts shall be set as for teachers (other than short term supply teachers) as set out in the SNCT Handbook.

Scottish Negotiating Committee for Teachers

Code of Practice on the Engagement of Short Term Supply Teachers

Short term supply teaching is defined as a period of cover teaching for 2 days or fewer. This Code of Practice sets out the basis of engagement of short term supply teachers. Supply teaching is where teachers may be offered work on a short term temporary basis, generally with little notice. Short term supply teachers will fulfil the duties set out in the SNCT Handbook (Part 2, Section 2, paragraph 2.2).

(1) Terms of Engagement of Short Term Supply Teachers

The arrangements for engaging short term supply teachers should be as follows:

- a. In every short term supply engagement there can be no mutuality of obligation; there is no duty to offer work and no requirement to accept work. Engagement should be on a daily basis.
- b. The reasons for each engagement should be made explicit.
- c. Where it is known at the outset that the requirement for cover is likely to extend beyond 2 days a fixed term temporary contract (in accordance with the SNCT Code of Practice on the Use of Fixed Term Temporary Contracts) and any relevant LNCT Agreements should be issued.
- d. The deployment of a short term supply teacher may occur in a number of circumstances when cover is required for absences including:
 - in service training/staff development/working groups
 - short term special leave, for example, bereavement leave, jury duty
 - short term sickness absence
 - trade union duties arranged on an ad-hoc basis
 - SQA duties
 - public duties

(2) The Role of Headteachers

The Headteacher has a crucial role in ensuring the Code of Practice operates smoothly and in maintaining, as far practicable, the continuity of education provision. The Headteacher shall ensure that, within the constraints of the SNCT Pay and Conditions Agreement, the circumstances in which pupils are taught by different short term supply teachers should be limited and should not exceed 2 days regardless of individual engagement of supply teachers during any absence.

The Headteacher shall:

- a. state the specific arrangement orally as set out in Section 1 above and ensure the arrangements are confirmed in writing at the outset of any engagement, including the hours to be worked.
- b. take responsibility for arranging the daily renewal of engagements of up to 2 days.
- c. ensure that the duties of short term supply teachers do not extend beyond the duties set out in the SNCT Handbook (Part 2 Section 2, Paragraph 2.2). Headteachers may, however, require short term supply teachers to cover classes during the class contact time of the school. During a short term engagement Headteachers may deploy the supply teacher for full pupil contact hours, but this deployment should be clear to the supply teacher at the outset of the engagement. Authorisation should be sought from the Council for payment in accordance with the provision of the SNCT Handbook in circumstances where a short term supply teacher is asked to take on the full range of duties of a teacher before the engagement extends beyond 2 days.
- d. ensure that where there is a pattern of recurrent work a fixed term contract is issued.
- e. ensure that in circumstances where a part time teacher provides absence cover for a class or classes they normally teach, that teacher will be expected to maintain the full range of duties of a teacher and be paid accordingly. However a part time teacher who provides absence cover for a class or classes they do not normally teach should be deployed in accordance with the provisions of the SNCT handbook set out in Section 4 below for the first 2 days of that engagement as per the SNCT Pay and Conditions Agreement.
- f. When a short term engagement extends to long term contract it will be important to manage non class contact time appropriately. The reduction of non-class contact operates on a weekly basis. Where a long term engagement commences during a week, the pay provisions commence immediately. The non-class contact time for the remainder of the week should be pro-rated for that week but should disregard the hours worked when the short term supply engagement was being undertaken.

(3) The Role of the Council

The Council has prime responsibility in ensuring short term supply is managed efficiently and properly and shall:

- a. issue clear guidelines on supply teaching when placing teachers on supply lists. In particular, those on supply lists should be provided with the Code of Practice on the Engagement of Short term Supply Teachers and the Code of Practice on the Use of Fixed Term Temporary Contracts and, where applicable, relevant LNCT agreements.
- b. ensure that engagements are confirmed in writing signed by the supply teacher and Headteacher or nominated manager.
- c. ensure clear mechanisms for recording deployment as short term supply and deployment on fixed term contracts.
- d. support these by clear pay mechanisms.
- e. ensure that service as a short term supply teacher counts in full for pay increments, as set out in the SNCT Handbook, Part 2, Section 1 paragraphs 1.11 to 1.26.

(4) SNCT Handbook

The SNCT Handbook sets out the provisions for short term supply teachers as follows:

- a. Pay – SNCT Handbook, Part 2, Paragraphs 1.5 to 1.7.
- b. Duties – SNCT Handbook, Part 2, Paragraph 2.2.
- c. Working Year, Working Week – SNCT Handbook, Section 3, paragraphs 3.2 and 3.3.

APPENDIX C



Contract & Timetabling of **Short Term Supply Teachers** Primary/Nursery/Special – Quick Payment Guides

26/10/2011

See Desc Below	FTE	Total Contractual Hours (decimal)	Total Contractual Hours (minutes)	Max Class Contact (decimal)	Max Class Contact (minutes)	Holiday Pay at accrual of 0.2051 per hour (Hours Decimal)	Total Pay including Holiday Pay (Decimal)	*Approx Daily Salary including holiday pay (based on hourly rate of £15.63 x Total Pay including Holiday Pay)
1.	0.06	1.39	83.50	1.25	75	0.28	1.67	£26.10
2.	0.08	1.94	116.50	1.75	105	0.40	2.34	£36.57
3.	0.09	2.23	134.00	2.00	120	0.46	2.68	£41.89
4.	0.10	2.50	150.00	2.25	135	0.51	3.01	£47.05
5.	0.13	3.34	200.50	3.00	180	0.68	4.02	£62.83
6.	0.14	3.61	216.50	3.25	195	0.74	4.35	£67.99
7.	0.17	4.16	249.50	3.75	225	0.85	5.02	£78.46
8.	0.20	5.00	300.00	4.50	270	1.03	6.03	£94.25
9.	0.22	5.55	330.00	5.00	300	1.14	6.69	£104.56
10.	0.27	6.66	399.50	6.00	360	1.37	8.03	£125.51

1. Payment for short term supply teaching 1½ hours afternoon only in a primary class, with 11.1% uplift for non class contact time
2. Payment for short term supply teaching a 1¾ hours afternoon only in a primary class, with 11.1% uplift for non class contact time
3. Payment for short term supply teaching a 2 hour afternoon in a primary class, with 11.1% uplift for non class contact time
4. Normal daily contractual hours and payment for half a day in primary class, including non class contact time, for a supply teacher in for 5 days
5. Half day in a nursery (or primary class with 3 hours morning class contact) and 11.1% uplift on top for non class contact
6. Payment for short term supply teaching morning only (where afternoon is 1¾ hrs) with 11.1% uplift for non class contact time
7. Payment for short term supply teaching a 3¼ hours morning only in a primary class, with 11.1% uplift non class contact time
8. Normal single day in primary class including class contact time for teacher in for 5 days
9. Supply teacher covering all 5 hours class contact with 11.1% uplift on top for non class contact time – up to a maximum of 4 days in any one school
10. Supply teacher covering 6 hours for a full day in nursery with 11.1% uplift for non class contact time on top – for a maximum of 3.5 days in any one school otherwise will exceed weekly maximum class contact time

* Head Teachers requested a rough guide to respond to short term supply teachers who ask roughly how much they are likely to be paid

Nb. Always be vigilant about available budget AND ensure maximum class contact, in one school, does not exceed 22.5 hrs weekly



Contract & Timetabling of **Short Term Supply Teachers** Secondary Schools – Quick Payment Guides

26/10/2011

FTE	Total Contractual Hrs (decimal)	Total Contractual Hours (minutes)	Max Class Contact (decimal)	Max Class Contact (minutes)	Maximum Periods of Contact Time (50 min periods)	Holiday Pay accrued at 0.2051 per hour (Hours Decimal)	Total Pay including Holiday Pay (Decimal)	*Approx Daily Salary (based on hourly rate of £15.63 x Total Pay including Holiday Pay)
0.04	0.93	56.00	0.83	50	1	0.19	1.11	
0.07	1.85	111.00	1.67	100	2	0.38	2.23	
0.11	2.78	167.00	2.50	150	3	0.57	3.34	£52.20
0.15	3.70	222.00	3.33	200	4	0.76	4.46	£69.71
0.19	4.64	278.50	4.17	250	5	0.95	5.59	£87.37
0.22	5.55	333.00	5.00	300	6	1.14	6.69	£104.56
0.26	6.48	389.00	5.83	350	7	1.33	7.80	£121.91

Eg Monday – Wednesday all with 7 periods class contact + 6 periods on Thursday = 1fte and 22.5 hours class contact. Please note this equates to 1fte so would mean that there was no budgetary provision to bring someone in on Friday. Please be vigilant about available budget for cover and that maximum weekly class contact is not exceeded in any one school

Dear

NOTIFICATION OF CHANGES TO TERMS AND CONDITIONS

Teachers on South Ayrshire Council's Supply List

I am writing to advise you that amendments have been made to the Scottish Negotiating Committee for Teachers (SNCT) handbook which impacted on your employment with effect from 1 April 2014. As a result of the SNCT Pay and Conditions of Service Agreement 2013-15 any future work offered to you will either be termed as Short Term Supply or Fixed Term Temporary, each of which attract different hours of work and salary.

- Short term supply is where a teacher is engaged for a period of work of 2 days or fewer on a single period of engagement. Short term supply teachers will be paid at Point 1 (Point 0 if not fully registered) of the Main Grade Scale for each period of supply work, with pay calculated on an hourly basis, currently equating to approximately £15.95 per hour. In recognition that short term supply teachers cannot be expected to undertake the full range of duties they will be employed on a daily basis normally up to a maximum of 2 days. During a short term engagement Headteachers may deploy the supply teacher for full pupil contact hours but this deployment should be clear to the supply teacher at the outset of the engagement and an automatic uplift of 10% will be applied to all class contact hours. In addition, South Ayrshire Council have agreed that for supply work, an element of holiday pay will be included in the monthly salary at an accrual rate of 0.2051 per hour worked. Enclosed as Appendices A and B are Quick Guides which outline the maximum class contact and the amount of holiday pay which will be paid to supply teachers depending on their hours worked. Also enclosed as Appendix C is a copy of the Code of Practice on the Engagement of Short Term Supply Teachers which defines the terms of engagement for the teacher, the role of the Head Teacher and the role of the Council. Supply teachers should note that 2 days worked consecutively across different schools does not count as a single period of engagement. Supply work does however count towards the calculation of increments against a teacher's normal main grade salary therefore South Ayrshire schools have been asked to provide all supply teachers with a copy of the PYOL23 teachers timesheet, run on ? as a record of the work undertaken. You should ask in each school where and when you can collect your copy of these timesheets. Teachers' payslips will now identify short term supply and fixed term temporary work separately which will allow you to check that you have been paid appropriately.
- Fixed term temporary work is when the period of work is known at the outset to be greater than 2 days in duration or where a supply teacher has worked more than 2 consecutive days on one period of engagement. Fixed term contract teachers will be expected to carry out the full range of teacher duties as detailed in the SNCT Handbook therefore when offered a full time post you will be engaged for a maximum of 35 hours per week with a maximum class contact of 22.5 hours. Attached as Appendix D is a Ready Reckoner which shows the hours paid and maximum class contact time for part time Fixed Term Teachers depending on the pointage required by the school. Fixed term temporary teachers will be paid on the main grade scale at their relevant incremental point during the period of their engagement. Also enclosed as Appendix E is a copy of the Code of Practice on the use of Fixed Term Temporary Contracts which clarifies the circumstances where temporary work is appropriate, clarifies recruitment and appointment procedures and advises on rights to permanency. Teachers employed on fixed term contracts will continue to have their holiday pay accrued and paid to them at normal school holiday periods, as agreed by South Ayrshire Council Joint Negotiating Committee for Teachers, on the dates shown below :

Leave accrued between

Dates holiday paid to fixed term temp teachers

Dates holiday pay paid to permanent teachers doing additional temp hours

Needs revised -

Head Teachers and school clerical staff have been asked to ensure they provide all fixed term temporary teachers with a copy of the PYOL23 as a record of work after the salaries are run ?. You should ask in each school where and when you can collect your copy of these timesheets. Your pay slip will also detail fixed term hours separate from any short term supply hours which will allow you to check that you have been paid appropriately.

Head Teachers have been asked to direct all requests for supply teachers or fixed term teachers through the Central Helpline in order that when you are contacted for employment, it is made clear to you which of the above terms and conditions will be applicable. In order to ensure that schools and supply/fixed term teachers are clear on what is meant by periods of engagement, a set of frequently asked questions has been compiled and attached as Appendix F. These will be regularly updated and can be found ?. . If you do not have a log in for Glow please contact either of the named contacts on the letter heading above and they will make arrangements for you to have access. Alternatively these frequently asked questions can be found on the Wire at <http://ww6.south-ayrshire.gov.uk/Supplyteachers> and if you do not have a personal log in.you can access these by using the generic login 'sacremote' and password 'access1'

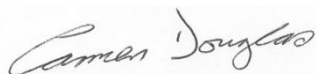
If you are a permanent part time teacher who is on the supply list because you are willing to undertake additional short term or fixed term temporary hours, the reason for employment will determine the payment which will be made to you when undertaking additional temporary hours. Some examples can be found in the frequently asked questions enclosed.

Revised contracts of employment and schedules of terms and conditions for fixed term appointments will shortly be approved at the Joint Negotiating Committee for Teachers and we hope to begin issuing these by 7 November 2011. At the present time it is not practical to issue individual contracts to every short term supply teacher for each day they work, therefore, teachers undertaking short term supply work should note the terms of employment referred to above and collect /retain the PYOL23 timesheet from each of the schools, at the end of each month. This will act as proof of employment should you have any queries or problems later about your service and will allow you to do a cross check against your payslip..

Further details can be found on the Scottish Negotiating Committee for Teachers website on <http://www.snct.org.uk> if you wish to find out more.

If you have any queries on this matter please do not hesitate to contact a member of the HR team at the email address or telephone numbers shown above.

Yours sincerely



Carmen Douglas
Senior Education Manager