

Scottish Negotiating Committee for Teachers

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10 May 2007

Dear Colleague

APPLICATION OF SNCT/26 TO TEACHERS RETIRING FROM SERVICE

Further to advice offered in August 2006 and originally on 6 October 2004 the SNCT have been unable to resolve this issue to date. A technical sub-group has been established to resolve outstanding matters arising from the application of SNCT/26.

In the meantime teachers retiring from service in August 2007 should be treated under the arrangements put in place in 2004. A copy of this advice is appended.

Yours sincerely

Joe Di Paola (Employers' Side)
Drew Morrice (Teachers' Panel)
Stephanie Walsh (Scottish Executive)

Joint Secretaries

Scottish Negotiating Committee for Teachers

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6 October 2004

Dear Colleague

Application of SNCT/26 to Teachers Leaving Teaching Service or Retiring

The Joint Secretaries have been asked to provide advice on the calculation of leave on termination of employment, specifically where a teacher retires.

SNCT/26 states that leave will accrue on the basis of .338 of a day for each day worked and that on termination of employment a calculation should be done to work out the difference between leave earned against leave taken. This may result in a requirement to pay the teacher for excess leave earned or to make a recovery of pay where the teacher has used more leave than they have earned.

Since the leave year runs from 1 September, teachers who leave work with effect from the end of the school summer holiday are likely to see a reduction in the amount of payment for holidays they will receive. This reduction will be the difference between leave earned up to the end of the holiday period and the end of the leave year. This difference in the leave year and salary year is causing other anomalies in terms of accrual of leave and payment for leave.

However, in the case of a teacher leaving teaching service or retiring the paragraphs numbered 11.6.3 and 11.6.4 within the Scheme of Salaries and Conditions of Service for Teaching Staff are still extant. These provisions will continue to enable the employer to pay a teacher leaving or retiring in August 2004 for the full holiday period provided the criteria set out in 11.6.3 and 11.6.4 are met.

The joint secretaries cannot change current arrangements but can simply provide advice based on what is place, however, the joint secretaries will raise the issues around accrual of and payment for leave with the appropriate SNCT working group in the first instance.

Yours sincerely

Lynne Dickson (Employers' Side)
Drew Morrice (Teachers' Panel)
Stephanie Walsh (Scottish Executive)

Joint Secretaries

To: Chief Executives
Directors of Education
Directors of Personnel
Copy: Directors of Finance