**North Yorkshire County Council**

**Term-time working – FAQs for current employees**

**Introduction**

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 you, as a term-time employee receive an equivalent pro-rata entitlement to the pay and benefits of a comparable full-year employee.

The complexity of term-time working arrangements arises primarily because your working days are not evenly spaced throughout the year due to the longer summer closure period. However, your salary is paid in 12 equal parts to provide a constant monthly income. Therefore, the situation can arise where you have worked either more or less than the days and weeks for which you have been paid. This only becomes an issue when you do not work the complete leave year or have a period of extended absence, for example, due to parental leave or sickness absence.

You have been given these FAQs as you currently work term-time only (TTO).

**What is a term-time working?**

A term-time only employee is someone who works a reduced number of weeks during the year, based around school term dates, who then has a pro-rata entitlement to contractual leave and pay.

**What do these new arrangements mean for me?**

Most continuing employees will see no change as a result of the new arrangements. They will only affect employees who start or leave employment during the leave year or have an extended period or absence, for example due to parental leave or sickness.

**Why have these new arrangements been introduced?**

These arrangements have been introduced to ensure that your pay and conditions of service are correct and proportionate to those of a comparable full-year employee. They cover a range of issues including how term-time pay and leave is calculated, including for those who start or leave during the year, and leave arrangements for those on parental or sick leave.

The new arrangements are based on the principles of the national agreement reached between local government employers and the trade unions. Locally the NYCC arrangements have been agreed with Unison.

**How is term-time pay calculated?**

Term-time pay is calculated by adding the pay for the **weeks you work** to the **holiday pay** you are entitled to, giving a **weeks paid** value. This is then paid to you in twelve equal monthly instalments. Holiday pay accrues at the same rate as an equivalent full-year employee.

**Example:** An employee works term-time including training days which equates to **39 weeks per yea**r.

They have 5 years’ continuous service so the full year equivalent leave entitlement is 27 days per year plus 8 bank and public holidays (7 weeks total paid leave). This is pro-rated to reflect the fact that the term-time worker does not work the full year so the employee receives a total of **6 weeks** paid leave.

The employee’s total pay for the year is **45 weeks** (39 + 6) which will be paid in twelve equal monthly instalments.

**As a TTO employee do I get paid annual leave?**

Yes, term-time employees are entitled to paid leave pro rata to that of full-year employees. The leave year for support staff starts on 1 April and finishes on 31 March each year and your leave must be taken to coincide with school closure periods. Therefore, you don’t need to put in holiday requests in the same way as full-year workers but you will receive the appropriate time off during school closure periods and get your holiday pay included with your term-time salary. You are not permitted to take time off during the school term.

**What happens if I am absent from work?**

If you are absent from work for an extended period, for example due to maternity leave or long-term sickness absence, a check will need to be made to ensure that you have received your entitlement to paid leave within the leave year. Please discuss this with your line manager if you have any queries.

**What happens if I leave during the year?**

If you leave during the leave year (1 April to 31 March) a calculation will be undertaken to ensure you have been paid correctly for the period that you have worked.

Primarily due to the longer summer holiday, term-time working days are not evenly spaced throughout the year but salary is paid in 12 equal monthly instalments. Therefore, if you leave during the year you may have been paid more or less than the weeks you have worked and a pay adjustment may need to be made to your final pay.

**Example 1:** A term-time worker leaves their role on 30 June. They have been paid for 3 months during the leave year i.e. April, May and June, which equals 3/12 or 25% of the year. However, they have worked 11 weeks in the leave year i.e. 11/39 or 28%. This employee will receive the additional pay in their final salary.

**Example 2:** A term-time worker leaves their role on 31 August. They have been paid for 5 months during the leave year i.e. April to August, which equals 5/12 or 42% of the year. However, they have worked 14 weeks in the leave year i.e. 14/39 or 36%. This employee will have a deduction from their final salary due to the overpayment.

Please note, calculations will vary year on year with changes to school term and holiday dates.

**Where can I get further information about term-time working?**

The Local Authority/School has a written guide on its TTO working arrangements. You should speak to your line manager if you have any queries regarding term-time working arrangements.