

To: Headteachers and Chairs of Governors of all Nottinghamshire Community Schools, Academies and Educational Establishments purchasing HR Services / Payroll Services from NCC

Dear Colleague

School Support Staff – Changes to Green Book (NJC) Conditions relating to equated pay (Term Time Only employees) – July 2020 Payroll

Reason for the change to terms and conditions

The Green Book (NJC/Local Government) National Terms and Conditions for support staff has recently been updated (Part 4.12) to provide a new approach to calculate paid weeks for Term Time only (TTO) employees. This follows a period of national consultation which brings fairness to the pay for all term time only employees. As this is a change to national terms and conditions of service, the county council must apply it across its entire workforce including schools and will be implemented in the July 2020 payroll, backdated to April 2020.

Staffing groups who may be impacted by this change include:

- Mid-day supervisors
- Catering
- Cleaning
- Supply support staff
- Other school based support staff paid on Green Book conditions of service

The current pay calculation for term time employees, which is commonly used across all authorities, is to divide the entitlement based on 52.14 weeks (calendar weeks) and then to multiply this by the base weeks.

The reason for the change is bring equality to the way leave entitlement is used to calculate pay for term time only (TTO) employees and all year round (AYR) employees by basing it on the same fundamental principle. As the example below shows, although an AYR worker will be paid for 52.14 weeks, they do not work for 52.14 weeks and is only required to work for 52.14 less their contracted annual leave and bank holiday entitlements.

Example 1 - Available weeks calculation for a (AYR) 52.14 week worker, with less than 5 years' service (24 days leave) and bank holidays entitlement (8 days)

Type	Calculation	Weeks
Calendar Weeks		52.14
Annual Leave (24 days)	4.8	- 4.8
Bank Holidays (8 Days)	1.6	- 1.6
Available Weeks		= 45.74
Paid weeks		52.14

Worked Examples:

Example 2 – Current paid weeks calculation for a (TTO) 39 week employee, with less than 5 years' service (24 days leave) and bank holidays entitlement (8 days)

Type	Calculation	Weeks
Base Weeks		39.00
Annual Leave (24 days)	$4.8 / 52.14 * 39$	3.59
Bank Holidays (8 Days)	$1.6 / 52.14 * 39$	1.20
Paid Weeks		43.79

The calculation in example 2 demonstrates the requirement for change. Currently 52.14 weeks is used as the divisor to calculate the pay for TTO staff rather than the revised method of using “available weeks” of 45.74 weeks instead.

Based upon this, in order to ensure that TTO employees are treated equitably with employees paid AYR the “paid weeks” calculation for TTO employees therefore need to be revised as shown in the Example 3 below, where we can see the leave entitlements apportioned to available weeks rather than calendar weeks;

Example 3 – Revised “base weeks” calculation for TTO employee with less than 5 years' service (24 days leave) and bank holidays entitlement (8 days)

Type	Calculation	Weeks
Base Weeks		39.00
Annual Leave (24 days)	$4.8 / 45.74 * 39$	4.09
Bank Holidays (8 days)	$1.6 / 45.74 * 39$	1.36
Paid Weeks		44.45

Impact on Pay for TTO employees

Current pay - The current annual pay for an AYR employee on Grade 2 pt 4 based on a 15 hour contract per week. The annual equivalent of this pay for an AYR employee would be ($£18,426 / 37 * 15$)
= £7,470

Current pay - The current annual pay for the same employee using the current method (example 2) paid TTO would receive would be;

$$£7,470 \text{ (Salary)} / 52 \text{ (Old weeks)} * 43.79 \text{ (Old Paid Weeks)} = £6,290.60$$

Revised pay - The new equation method for calculating TTO pay divides by 52.14 weeks to ensure fairness in the equation and also minimises the cost as the weeks the pay is spread over increases from 52 to 52.14.

Under the revised equation, (as shown in example 3) the annual basic pay that the same TTO employee would receive would be;

$$£7,470 \text{ (Salary)} / 52.14 \text{ (New weeks)} * 44.45 \text{ (New Paid Weeks)} = £6,368.27$$

An annual increase of £77.67 p.a to basic TTO pay.

As stated above, the revised calculation will be applied in the July payroll and employees will automatically receive their revised pay and arrears backdated to April 2020. In line with other changes arising from changes to national conditions we will not be writing to staff individually, so please let your staff know. There is no other action required by the school.

Please note that the National Pay award is currently out to ballot with trade union membership, with the result expected in August. We will notify you of the outcome of this in due course.

Supply workers

Under current arrangements, all non-contracted workers (relief) receive an additional 10.77% allowance on top of their hourly rate in respect of their leave accrual. This figure is based upon statutory leave based on the principle above;

$$\text{Stat Leave (5.6 weeks) / Available Weeks (52 weeks)} = 10.77\%$$

However using the principle of available weeks above, the calculation now needs to be based on;

$$52.14 \text{ (Calendar Weeks)} - 5.6 \text{ weeks (Statutory Leave)} = 46.54 \text{ (Available Weeks)}$$

$$\text{Stat Leave (5.6 weeks) / Available Weeks (46.54 weeks)} = 12.03\%$$

This percentage increase will be retrospectively applied to all active non-contracted workers in July, backdated to April. There is no action required for this change.

In line with the change, the equation templates are now available on the Schools Portal. Where any existing equations have been supplied for future changes, these will be converted by Payroll in to the new equation where possible.

Support

For further support, please contact your usual contact in HR or Payroll.

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