

Aberdeenshire Education, Learning & Leisure

Staffing Circular

Ref No: ST4/ 118

Replaces circular dated:

Expiry Date:

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SUBJECT: Supply Cover Arrangements

In view of a number of queries raised in relation to supply cover arrangements, the following guidance is provided which should clarify matters.

The guidance is a collation of material relevant to cover and supply and is taken from National (SNCT) and Local (LNCT) agreements contained in the following references:

1. The SNCT Handbook of Conditions of Service (www.snct.org.uk)
2. Circular ST4/109 (2007) "Guidance for Schools on Working Time and Collegiate Activities Session 2007/08"
3. Guidelines for Session 2004/05 on the application of the Payment Structure (SNCT/26)

The following regulations require that part-time and fixed-term staff (e.g. supply staff) are entitled to the same conditions as full-time staff.

The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

1. Cover Agreement

Within Aberdeenshire the inherited "Existing National Condition" still applies (ref 1, Part 4, page 9) and can only be varied by agreement of the LNCT. The agreement is:

Absence Cover will be provided: -

- a) *Immediately in the cases of advanced notice absences of more than 3 days*
- b) *After 3 days in the case of unplanned absences*

2. Supply Staff

The relevant SNCT conditions for the employment and payment of teachers are as follows (ref 1, Part 2):

1.6 Temporary teachers will normally be employed for a complete working day session and will be paid the daily rate for each day as defined in paragraph 1.5.

1.7 Where a teacher is employed for less than a complete working day, the teacher will not be employed for more than one discrete block of time in any one day. Teachers employed for a period less than a complete working day shall be paid at an hourly rate calculated as above. Other than in exceptional circumstances, they shall be obliged, on a pro rata basis, to undertake and be paid for all of the contractual commitments required of teachers as set out in Section 2 (Main Duties) and Section 3 (Working Year and Working Week)

Within Aberdeenshire, LNCT agreement (ref 3) was reached that:

“In very exceptional circumstances where a Supply Teacher indicated that she/he does not wish to commit beyond the class contact time of hours worked within a school, then only those actual hours worked can be claimed. This would only take place with the full agreement of the Supply Teacher who is made fully aware of the calculation of the hourly rate of 1/1827 of the annual salary at the time of accepting the supply work. It is stressed that such a situation must be exceptional and should not occur on a regular basis.”

3. Class Contact Time

The relevant SNCT conditions on the working year and working week (ref 1, Part 2, Section 3) apply to all teachers including those on part time contracts on a pro rata basis and those on temporary contracts (including supply staff).

Within the 35-hour week, a maximum of 22.5 hours will be devoted to class contact except for those teachers on the National Induction Scheme. For teachers on the National Induction Scheme the SNCT specify a contractual maximum class contact time of 0.7 fte or 15.75 hours. The GTCS specify that at least 80% or 0.55 fte should be spent in the allocated subject (Secondary) or class (Primary).

Reference should be made to the LNCT agreement on Working Time Agreement (Reference 2) that deals with the working week, “time and place” and part time staff. In particular, the following paragraphs deal with the atypical weeks such as in-service days or individual teachers being out of school for any reason:

4.3 Where there is a shorter working week arising from in-service or holiday arrangements, **then the normal pattern of non-class contact should apply**. In such atypical weeks, some teachers may have more non-class contact than they would otherwise be due and others less (e.g. if their non-class contact falls on a holiday). This should be balanced out, where possible, by varying the days for non-class contact over the session or over a number of sessions.

4.4 Where an individual teacher is not in school for part of the week, **the normal pattern of non-class contact should apply**. This would include supply staff receiving the planned non-class contact time.

8.1 For staff employed on part time and job share contracts, the allocation of time is on a pro-rate basis as detailed in Appendix 3.