

HR & OD POLICIES

human resources and organisational development



Part-Time Support Staff – Leave & In-service Arrangements (38 Week Support Staff)

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1. INTRODUCTION

The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 make it unlawful to treat part-time workers less favourably than their full-time counterparts. This means that part-time support staff are entitled to the same entitlements to leave, on a pro-rata basis, as full-time support staff and should therefore receive a proportion of that leave based on their contracted hours of work.

Support staff who work in these posts are required to work 38 weeks per year e.g. employee works 27.5 hours per week which equals 1045 hours over the School

Session which is further broken down as follows:

- 38 weeks pupil days (1045 hours)

How these hours are worked is arranged with the Senior Management of the school.

NB: If the employee's working hours are spread equally over the week (e.g. 5 hours per day Mon-Fri) then there is no need for the adjustment to be made.

2. NEED FOR ADJUSTMENTS

Full-time support staff have a working year of 190 days per school session. Part-time support staff will receive the pro-rata proportion of the annual salary and therefore should actually work the same proportion of 190 days on the same pro rata basis

The placement of Public Holidays, Occasional days and In Service days within the overall scheme of school holidays, when set against the working pattern of individual part-time support staff, can result in some support staff receiving less or more leave than their entitlement.

3. IMPLEMENTATION GUIDANCE

To ensure that each part-time support staff member is working the correct number of days in the school session, Head Teachers should use the [calculator](#) and examples as a guide for calculating entitlement.

Prior to the start of the new school session in August a calculation should be made to establish the pro-rata proportion of 190 working days that the part-time employee is required to work. This will ensure that the employee is given sufficient notice of what their working pattern will be.

On commencement of employment part way through the year a calculation should be made to establish the pro-rata proportion of 190 working days that the part-time employee is required to work.

If an employee works in more than one school then separate calculations will need to be done by each individual School.

The calculator will identify the employee's pro rata contractual requirement in hours to Pupil Days:

And will show the number of the above days (detailed in hours) that fall within their working pattern.

Depending on the working pattern of the employee an adjustment may be required to enable them to receive their entitlement to pupil days.

Pupil Days

An employees working pattern may result in them receiving more or less public holidays/ occasional days/ mid term than they are entitled to which can have an impact on their ability to work the pro rata requirement for Pupil Days. In such circumstances other arrangements should be made, in consultation with the Head Teacher, to enable the employee to meet their contractual hours.

Examples 1 - 4 should be used as guidance in conjunction with the calculator.

EXAMPLE 1

Session 2016– 2017, Aboyne Network

Employee works 4 hours per week (**152** hours over the whole schools session)

Working Pattern: Tuesday (2 hours) and Wednesday (2 hours)

From 15/08/2016 to end of school session on 30/06/2017

Within the 16/17 session there are 10 non working days (Public Hols/Mid term/ Occasional Days/ In Service)

Pupil Days:

Public Hols

Friday	24/03/2017	not within working pattern
Monday	01/05/2017	not within working pattern

Mid Term

Monday	13/02/17	not within working pattern
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Occasional days

Thursday	09/02/17	not within working pattern
Friday	10/02/17	not within working pattern

In Service Days*

Monday	15/08/16	not within working pattern
Monday	14/11/16	not within working pattern
Tuesday	15/11/16	falls within working pattern
Tuesday	14/02/17	falls within working pattern
Wednesday	15/02/17	falls within working pattern

***NB: In Service Days appear on the calculator as these are non working days for 38 week employees. There is no requirement to work these days.**

The calculator shows the contractual requirement for Pupil days is 152 hours. Based on their working pattern the employee will work 154 hours. The employee will work more than their contractual entitlement to Pupil days so arrangements should be made to take the additional 2 hours off at a time agreed with their service.

EXAMPLE 2

Session 2016-2017, Aboyne Network

Commenced employment with effect from 24/10/16

Employee works 8 hours per week (**241.6 hours** from the 24th October 2016- 30 June 2017)

Monday, Tuesday, Wednesday and Thursday (2 hours each day)

Between 24/10/16 and 03/06/17 there are 9 non-working days (Public Hols/Mid term/Occasional Days/ In Service)

Pupil Days:

Public Hols

Friday	24/03/2017	not within working pattern
Monday	01/05/2017	falls within working pattern

Mid Term

Monday	13/02/17	falls within working pattern
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Occasional days

Thursday	09/02/17	falls within working pattern
Friday	10/02/17	not within working pattern

In Service Days*

Monday	14/11/16	falls within working pattern
Tuesday	15/11/16	falls within working pattern
Tuesday	14/02/17	falls within working pattern
Wednesday	15/02/17	falls within working pattern

***NB: In Service Days appear on the calculator as these are non working days for 38 week employees. There is no requirement to work these days.**

The calculator shows the contractual requirement for Pupil days is 241.6 hours. Based on their working pattern the employee will work 242 hours. As the employee will work more than their contractual requirement for pupil days so arrangements should be made to take the additional 0.4 hours off at a time agreed with the Service.

EXAMPLE 3

Session 2016 – 2017, Aboyne Network

Employee works 2 days per week (**114 hours** over the School Session)

Working pattern all day Monday and Friday (1.5 hours each day)

From 15/08/2016 to end of school session on 30/06/2017

Within the 16/17 session there are 10 non working days (Public Hols/Mid term/Occasional Days/ In Service)

Pupil Days:

Public Hols

Friday	24/03/2017	falls within working pattern
Monday	01/05/2017	falls within working pattern

Mid Term

Monday	13/02/17	falls within working pattern
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Occasional days

Thursday	09/02/17	not within working pattern
Friday	10/02/17	falls within working pattern

In Service Days*

Monday	15/08/16	falls within working pattern
Monday	14/11/16	falls within working pattern
Tuesday	15/11/16	not within working pattern
Tuesday	14/02/17	not within working pattern
Wednesday	15/02/17	not within working pattern

***NB: In Service Days appear on the calculator as these are non working days for 38 week employees. There is no requirement to work these days.**

The calculator shows the contractual requirement for Pupil days is 114 hours. Based on their working pattern the employee will work 111 hours. The employee will work less than their contractual entitlement to Pupil days so arrangements should be made to work the remaining 3 hours at a time agreed with their service.

EXAMPLE 4 A

(employee working first half of the week) session 2016-2017, Aboyne Network

Employee works 5 hours per week (**190 hours** over the School Session)

Working Pattern: Monday (2 hours), Tuesday (2 hours), Wednesday (1 hour)

From 15/08/16 to end of school session on 30/06/17

Pupil Days:

Public Hols

Friday 24/03/2017 **not** within working pattern

Monday 01/05/2017 falls within working pattern

Mid Term

Monday 13/02/17 falls within working pattern

Occasional days

Thursday 09/02/17 **not** within working pattern

Friday 10/02/17 **not** within working pattern

In Service Days*

Monday 15/08/16 falls within working pattern

Monday 14/11/16 falls within working pattern

Tuesday 15/11/16 falls within working pattern

Tuesday 14/02/17 falls within working pattern

Wednesday 15/02/17 falls within working pattern

***NB: In Service Days appear on the calculator as these are non working days for 38 week employees. There is no requirement to work these days.**

The calculator shows the contractual requirement for Pupil days is 190 hours. Based on their working pattern the employee will work 187 hours. The employee will work less than their contractual entitlement to Pupil days so arrangements should be made to work the remaining 3 hours at a time agreed with their service.

EXAMPLE 4 B

(employee working 2nd half of the week)

Employee works 5 hours per week (**190 hours** over the School Session)

Working Pattern: Wednesday (1 hour), Thursday (2 hours), Friday (2 hours)

From 15/08/16 to end of school session on 30/06/17

Pupil Days:

Public Hols

Friday	24/03/2017	falls within working pattern
Monday	01/05/2017	not within working pattern

Mid Term

Monday	13/02/17	not within working pattern
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Occasional days

Thursday	09/02/17	falls within working pattern
Friday	10/02/17	falls within working pattern

In Service Days*

Monday	15/08/16	not within working pattern
Monday	14/11/16	not within working pattern
Tuesday	15/11/16	not within working pattern
Tuesday	14/02/17	not within working pattern
Wednesday	15/02/17	falls within working pattern

***NB: In Service Days appear on the calculator as these are non working days for 38 week employees. There is no requirement to work these days.**

The calculator shows the contractual requirement for Pupil days is 190 hours. Based on their working pattern the employee will work 193 hours. The employee will work more than their contractual entitlement to Pupil days so arrangements should be made to take the additional 3 hours off at a time agreed with their service.

Holiday Entitlement

Index of Documents

Guidance

Revision Date	Previous Revision Date	Summary of Changes
22-07-2013	-	Creation of all documents
21-08-2014	22-07-2013	Updating of documents
31-08-2015	21-08-2014	Format update
09-09-2016	31-08-2015	Update to calculator and guidance