



DERBYSHIRE ASSOCIATION OF TEACHERS

SCHOOL REPRESENTATIVES BRIEFING

UPDATED November 2002

PART-TIME TEACHERS

Background information.

The number of teachers involved in part-time work is increasing. This can often be at the choice of the teacher, nowadays sometimes just to enable survival in the workload situation that teachers face. The Derbyshire Association believes that it is vital that the needs of all teachers are met by the Union, that part-time teachers are full-time members of the Union and should expect the same levels of service and support as those working full-time. The Union values the role played by part-time members, recognises their specific needs and accepts that it needs to do more to demonstrate the benefits of membership of the NUT and to increase recruitment of part-time teachers.

Many teachers considering part-time work consider job shares. The Union and the LEA are supportive of, and have specific policies about job sharing. However, teachers do not have an automatic right to reduce to part-time/job share. Nevertheless an employer has to be able to justify a refusal on reasonable educational and administrative grounds. If any members are considering requesting a change to part-time/job share we would advise that they contact the Derbyshire NUT office for advice.

Part time teachers employment rights.

Under the 'Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000' it would be a contravention if a part-time worker were to be treated less favourably than a comparable full timer. Details are available on www.dti.gov.uk .

Working time. The Teachers' Pay and Condition Document does not, as yet, stipulate a statutory limit on teacher's working time. Instead it advises that such working time should be set out in their contracts of employment. The document also states that part-time teachers may be required to undertake some or all of the duties undertaken by full-time teachers. This inevitably leads to situations where part-time teachers are expected or feel obliged to carry out duties for which they are not being properly paid.

Pay. The Teachers Pay and Conditions Document (published annually) states that teachers in part-time service must be paid a proportion of the remuneration that would be appropriate if they were involved full-time. Supply teachers should be paid on a daily basis on the assumption that the working year consists of 195 days.

Professional Development. Part-time teachers should have access to training in the same way as others. We would expect the amount of training to be at least pro rata to the amount of

The Union's view

That the number of hours in directed time is a maximum time and this "quota" does not have to be filled! The extensive list of possible duties is again not a list that teachers are necessarily expected to fulfil completely. Likewise part-time teachers should not necessarily be expected to work an exact proportion of the 1265 hours nor should they necessarily be expected to fulfil the full range of duties set out in the Pay and Conditions Document.

An individual contract

The Union's view is that an individual's contract of employment should detail the following:

Total directed working time. This should include:

- i) The teaching commitment together with non-contact time. This should be proportional to full time colleagues;
- ii) Supervision duties within the school;
- iii) Availability for other duties, e.g. staff meetings, together with a reserve for further such duties;
- iv) Additional availability for duties undertaken during the five closure days;
- v) Disturbance element of hours. For those part-time teachers who may be required to return to work (on occasions when a full-time colleague would not have had to undertake a special journey) for activities outside the school session for which they are employed. This disturbance time should be counted against a teachers working time and should enhance the proportion of salary paid;

Days of the working week. The individual contract should specify the days of the week on which the colleague is expected to work. In addition, it should also specify the number of days and hours that a part-time teacher may be required to attend on any of the five additional working days.

Assessment of Salary.

The NUT believes that part-time teachers should be paid not only for the percentage of time they are expected to teach but also for any additional directed time above the

percentage they would be required to do as part of their contract. For example, a 0.5 FTE should be paid 0.5 salary -, would be expected to be directed for 0.5 of the 1265 hours, anything above this would require additional pay.

A more detailed example would be: A teacher working five mornings a week of, say, 3.5 hours in length would currently receive a pro-rata salary of 64% of the full-time salary. However, if the additional hours are added then they should be paid at a pro-rata rate of nearly 70% of full-time salary.

Teaching time including breaks and non contact time =

665 hours,

pre and post session supervision (15 minutes assumed) =

47.5 hours,

staff and departmental meetings +

50 hours,

parental meetings =

30 hours,

miscellaneous/reserve =

10 hours,

Five non-pupil days =

30 hours,

disturbance enhancement =

50 hours,

total hours = 882.5 =

69.8% of 1265 hours.

A similar calculation for a teacher working full-time two days per week currently may be expected to receive 40% of a full-time salary. Taking into account the additional expectation made of them this may, for example, lead to them working 536 hours 42.4% of 1265 hours and the proportion of their salary should be paid accordingly.

Conclusion

It is unlikely that the LEA and governing bodies will be willing to take on the additional costs. If so the employer needs to be clear as to the exact duties and directed hours commitments of part-time teachers.

The LEA and governing bodies can no longer continue to have their cake and eat it, where part-time teachers are paid for the time they teach but are expected to have an open ended commitment to additional activities.

Part-time teachers - some questions answered.

1. Q. How much should I be paid ?

A. Teachers in regular part-time service must be paid a proportion of the salary which they would receive full-time. All part-time teachers should have a contract of employment which clearly defines both their working hours and their rate of pay and ensures that they do not lose out in salary terms in comparison with full-time colleagues at the school. Part-time teachers are normally entitled to an increment if they have worked for part of at least 26 weeks during the previous school year.

2. Q. What does this mean?

A. Well, for example a teacher working two full days per week may be expected to be paid 40% of the full-time equivalent. However, the Union's view is that once additional hours are added for attending Inset days and other meetings etc, a teacher may be working say 43% of directed time and should be paid accordingly.

3. Q. Do I have to attend events such as parents evenings, staff meetings and Inset days on days on which I don't normally work?

A. Not necessarily. The times and types of meetings you are expected to work should be set out in your contract of employment. There is a balance between professional responsibility, the demands made by the school and other commitments part-timers may have.

4. Q. What should be my contact hours ?

A. These again should be set out in your contract of employment. You should not be expected to work any more additional time than pro-rata to a full-time teacher.

5. Q. Can the Head teacher change the hours or the days I work?

A. When a part-time teacher is appointed to a post they should be issued with a contract which sets out the terms of their employment. In particular, the rates of pay and the hours to be worked. If a Head or the Governors wish to amend the contract then the NUT would

expect that any such amendment will be by mutual agreement. In the event that a part-time teacher is being forced to have a unilateral change to their contract which they regard as being unacceptable, they should seek advice from the NUT on the matter.

6. Q. If I am in a job share do I have to attend all meetings as well as my partner?

A. No. The Union believes that as long as the professional responsibilities are being met then there is no need for both partners to be at all events.

7. Q. What if my partner and I are directed to attend all meetings?

A. Then all the additional hours worked will have to be paid for. The Union's view is that a full-time job share should cost the equivalent of 1.1 FTE. See Question 3.

8. Q. Am I entitled to non-contact time?

A. Yes. On the same ratio as full-time colleagues within the school.

9. Q. Do I have to take part in the Performance Management process?

A. Yes. All teachers are normally covered by this. Your school will have its own policy which should give details.

10.Q. If I am on a part-time contract, does it have to be fixed-term?

A. No, part-time workers can and should have permanent contracts of employment, except where there are acceptable reasons for a temporary contract. e.g. covering the maternity leave of a colleague.

11. Q. Am I entitled to sick pay?

A. Yes. The Derbyshire personnel handbook states "The (sick pay) scheme shall apply to full-time and part-time teachers other than casual supply teachers."

12. Q. Am I entitled to join the Teachers' Superannuation scheme?

A. Part-time and supply teachers are eligible to join the Teacher Superannuation scheme. They must however, apply to the Teachers' Pension Agency to have teaching service eligible for education purposes. The NUT strongly advises all teachers to join the Teachers' Superannuation scheme.

13. Q. Can the school pay me just for working during the term-time?

A. All teachers should be paid a full term's salary for a full term's work. This includes school holidays.

14. Q. What should I do if I am unhappy or unsure at the way I am being treated as a part-time worker or if I have any other questions?

A. Contact the Union today! If you are not a member of the NUT, join us. We are actively working for part-time teachers. We consider them to be just as important as full time colleagues