To: Chief Executives in England, Wales and N Ireland (copies for HR and Finance Directors)
Members of the National Joint Council

29 November 2016

Dear Chief Executive,

Review of Term Time Working

You will recall that as part of the 2016-18 pay deal, the NJC has agreed to conduct a joint review of term-time working to consider “an NJC approach to deliver fair, consistent and transparent contracts for school support staff and term-time only staff not employed in schools”

The agreed Terms of Reference for the review are overleaf.

Both Sides will liaise with colleagues who have practical and technical expertise in the issues to be covered by the review and who will advise the Joint Secretaries during the review process. We have scheduled regular meetings for the foreseeable future and would aim to conclude our review by 30 June 2017.

Throughout the course of the review the Joint Secretaries will keep their respective constituents updated on developments.

Yours sincerely,

Sarah Messenger
Rehana Azam
Fiona Farmer
Heather Wakefield

Joint Secretaries
NJC Term time Working Review: Terms of Reference

Introduction
The NJC has agreed to conduct a joint review of term-time working to consider “an NJC approach to deliver fair, consistent and transparent contracts for school support staff and term-time only staff not employed in schools”

The review
To take forward this review, the Joint Secretaries will establish a working group with the following remit:

1. To collect data on the use of term time contracts in schools and the methods used to calculate the pay of term time only staff

2. To research and review how and when differences of approach arise and consider if it is possible to produce joint guidance relating to arrangements on issues such as pay, annual leave, time off in lieu of bank holidays, maternity, paternity and adoption leave and pay, sick pay, special leave and school closures

3. Consider whether it is possible to develop a mutually acceptable formula for calculating the issues identified in point 2. Any agreed formula would be advisory and would not supersede local arrangements where these are more favourable

4. Consider all aspects of term-time working in schools, including differences between support staff and teaching colleagues

5. Consider where necessary any relevant work previously produced by the former Schools Support Staff Negotiating Body

6. Consider the implications of the review on term time only staff that are not employed in schools.

7. Report to the NJC the outcome of the review and consider whether jointly agreed advice should be issued to employers

The review will need to ensure that it is:

- Compliant with the requirements of the Equality Act 2010
- Consistent with Single Status principles

To ensure review outcomes, it must:

- Have firm timescales for completion
- Take into account the potential impact on pay arrangements in London
- Be financially viable for employers and fair to employees

Additional input:

To support the review, the Joint Secretaries will be advised by colleagues who have practical and technical expertise in the design and use of term time contracts