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**Term-Time Working Scheme**

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 **1. INTRODUCTION**

1.1 Term time working is available primarily to support staff with childcare responsibilities who might otherwise take a complete break from employment. Additionally its implementation allows the Council to attract parents with school age children who might seek employment elsewhere and to offer employment to parents who would otherwise be unable to work because of their childcare responsibilities. However all staff are able to request term time working, regardless of their family commitments or the reasons for requesting it.

1.2 Term time working allows employees to work contractual hours during school term time with time off during half term holidays, Christmas, Easter and summer school breaks. This scheme is normally based on 38 or 39 weeks of school term a year but can be adjusted where your children’s school term times differ.

1.3 Term time working will be granted subject to the needs of the service.

**2. TERM TIME WORKING**

2.1 A term time working arrangement means that you are contracted to work only during term time.

2.2 Term time working means that you will work during the school term and are paid for this time only. Salary arrangements involve your recalculated pro rata annual salary being paid in 12 equal instalments.

2.3 Appendix 1 gives an example of how the salary for a scale 3 post is converted to a term time only salary. Bank holidays, annual leave, extra statutory and concessionary and long service days are all included as part of the monthly salary payment. You are therefore not entitled to take any leave during school term time for either bank holidays or annual leave.

2.4 A TTO Calculator to enable you to calculate the effects of TTO working on your salary is available on the intranet here: [Staff services](http://towernet/staff_services/) > [HR and workforce development](http://towernet/staff_services/hr_workforce_development/) > [People management](http://towernet/staff_services/hr_workforce_development/people_management/) > Flexible working

2.5 Your manager must be satisfied that adequate cover by appropriately skilled staff is available to ensure that service delivery is maintained to an acceptable level during the school holidays.

**3. MAKING A REQUEST**

3.1 You must submit a request by completing the form available on the intranet here:

 [Staff services](http://towernet/staff_services/) > [HR and workforce development](http://towernet/staff_services/hr_workforce_development/) > [People management](http://towernet/staff_services/hr_workforce_development/people_management/) > Flexible working

 and submitting this to your manager. If you do not have access to the intranet, a paper form is available.

3.2 In order to make a request under the statutory provisions you should be employed directly by the Council, have worked for the Council continuously for 26 weeks at the date the application is made and not have made a request during the previous 12 months.

3.3 However all requests for flexible working arrangements will be considered.

3.4 Your manager will consider the request and submit this to a third tier manager or above for approval. They will then consider your manager’s comments and feedback to your manager.

3.5 Your manager will notify you of the outcome of your application within 28 days of receiving your request and forward a copy of your application and the response to HR & WD Central Services for placing on your personal file. If your application is approved, you should be aware that the contractual changes will have implications for your pension and National Insurance Contributions. You are advised to contact the Pensions Section for detailed information.

3.6 The change to Term Time Working will constitute a permanent change to your terms and conditions of employment unless a temporary arrangement is specifically requested and granted. Having begun Term Time Working you will have no automatic right to return to full-year working.

3.7 Under the Flexible Working Regulations, your manager can only consider one statutory request to work flexibly every twelve months. However the Council will consider all requests when received including requests for other types of flexible working options. You will only be entitled to have one application heard in accordance with your statutory rights.

**4. DECLINED APPLICATIONS**

4.1 The Council aims to deliver responsive and high quality services and your manager therefore, has to consider any potential impact that your absence may have on service delivery. Managers will need to decline requests where there is likely to be a detrimental effect on the ability to meet customer demand, quality, performance or some other business reason such as the ability to re-organise work. In circumstances where you believe that your request has not been properly considered, you may wish to appeal.

4.2 If you have submitted a statutory request under the Flexible Working Regulations, you will be entitled to a two stage appeal process.

4.3 The first stage will be to make your appeal in writing within 14 days of receiving written notice that your request has been declined, setting out the grounds for your appeal. Your appeal will be heard by a more senior manager to the one who originally considered your application, within 14 days. You are entitled to be accompanied by a work colleague or a trade union representative. However where the decision was taken by a third tier manager or Service Head, an independent third tier manager or Service Head can hear your appeal. You will receive written notice of the outcome of the appeal. You also have a further right of appeal, which will be considered under the final stage of the Grievance Procedure.

4.4 Should you not have a statutory right under the Flexible Working Resolutions, and you wish to appeal, you can seek resolution through the Final Stage of the Grievance Procedure. You must put your appeal in writing to your Corporate Director, sending a copy to your Senior HR Business Partner. The Corporate Directorate (or her/his nominated deputy) will then convene a meeting. The reply from the Corporate Director (or her/his nominated deputy) will be the final response by the Council.

**5. MANAGER’S ISSUES**

5.1 Your manager in considering whether to allow term time working will need to consider the needs of the service and may refuse your request. If this is the case, it will be confirmed in writing to you outlining the reasons why.

5.2 Your request may be refused on grounds such as the cost of cover, the extent that the service provision has to be covered by other members of staff and the uniqueness of your role in terms of experience, knowledge and skills which are needed consistently throughout the year.

5.3 Your manager will also need to consider the whole team’s contractual availability and impact on other members of the team. For example the size of the team, the number of people working term time or other flexible arrangements that affects cover so that the team is not be subjected to an undue burden of work during your absence.

5.4 Where term time working is agreed, your manager will need to consider how to maintain communication with you and ensure that performance management principles are consistently applied. It may be necessary to amend the frequency or timing of performance management reviews and learning and development opportunities to reflect your new working pattern.

**6. EMPLOYEE ISSUES**

6.1 Before you consult your manager, you will need to consider that the agreement will be made on a permanent basis.

6.2 Requests to stop working term time only will be considered in the context of budgetary provision and the availability of suitable additional work at the time.

6.3 If you do not have children, you may still apply to work term time only.

**7. FURTHER INFORMATION**

7.1 For further information or advice on any aspect of this procedure, please contact the Human Resources Central Services team.

HR & WD Strategy

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**Appendix 1 – Example of Term Time Only Calculation**

