

WEST DUNBARTONSHIRE COUNCIL

Report by Joint Secretary (Management Side) to the LNCT

Local Negotiating Committee for Teachers: 20 December 2011

Subject: Leave provision for Associated Professionals under SNCT Guidance

1. Purpose

- 1.1** The committee is being asked to note the changes taking place for annual leave entitlement for Associated Professionals from 1st April 2012.

The term 'associated professionals' covers the following: Educational Psychologists, Senior Educational Psychologists, Depute Principal Educational Psychologist and Principal Educational Psychologist and Education Support Officers, Quality Improvement officers and Quality Improvement Managers

2. Background

- 2.1** The SNCT govern the annual leave provision for teachers and associated professionals. This is broken down into those who work term time arrangements namely teachers and music instructors, and those who work 52 week arrangements who are referred to as other "associated professionals".

Teachers and music instructors work a term time calendar with a leave year commencing 1st September, however associated professional work the same leave year as SJG employees (1st April – 31st March).

Due to having the same leave year as SJC employees, historically these individuals have also received the same leave entitlement as SJC employees

However, when annual leave entitlement was reviewed in 2009 by the SNCT the annual leave provision for Associated professionals was clarified as 35 days leave for individuals with less than 5 years continuous service and 40 days for those with more than 5 years continuous service.

Note: continuous service refers to any previous service with councils and employers listed in the Redundancy Payment (local Government) (Modification) order 1990 (as amended).

It was also confirmed that public holidays in the council area is included in the leave entitlement specified above.

In 2009, the SNCT also advised of conservation arrangements to be put in place by councils as follows;

Those who, at the beginning of the leave year 2009/2010 had an entitlement in excess of 35 or 40 days retained this leave entitlement for 3 years or until it was overtaken by the new entitlement arrangements.

These conservation arrangements will cease from April 2012 when the 2012 / 2013 leave year commences.

3. Main Issues

3.1 In April 2012 the 3 year conservation arrangements will cease and the new leave arrangements for Associated professionals will take effect.

The current annual leave entitlement specified for SJC employees is not fit for purpose for Associated professionals as there are years that this provision would be insufficient and would be falling below the leave specified by the SNCT. Similarly there are also years where the provision exceeds that specified by the SNCT.

While it is appropriate for the LNCT to enhance SNCT terms and conditions they cannot detract from them.

3.2 Changes in practice

By introducing the new annual leave provision as specified by SNCT WDC associated professionals will no longer accrue leave on a yearly basis and there will be changes in entitlement as specified below.

Associated Professionals have been aware of these changes since they were confirmed and protected (if appropriate) in 2009.

3.3 Leave entitlement

The table below shows the current leave entitlement for Local Government Employees including details of public holidays. As you are aware in addition to annual leave all LG employees are also granted 8 public holidays on fixed days throughout the year.

Completed Service by 1 st April	Entitlement LGE	Public Holidays	Total	Total Entitlement SNCT
Less than 1 years' service	24 days	8 (or remainder within the leave year)	32	35
1 years' service	25 days	8	33	35
2 years' service	26 days	8	34	35
3 years' service	27 days	8	35	35
4 years' service	28 days	8	36	35
5 years' service	29 days	8	37	40
6 years' service	30 days	8	38	40
7 years' service	31 days	8	39	40
8 years' service	32 days	8	40	40
9 years' service	33 days	8	41	40
10 years' service	34 days	8	42	40

3.4 Annual leave amendments of Teachers and Music Instructors as specified by SNCT

In September 2011 the annual leave entitlement for teachers and music instructors changed from 66 days annual leave to 40 days annual leave with 26 school closure days. Annual leave accrual rates were changed accordingly and there was no change to salaries.

The annual leave provision for Associated professionals was clarified in 2009. However having reduced the annual leave provision for Teachers and music instructors there is now a very different context for viewing entitlements of associated professionals leave entitlement.

The changes specified by the SNCT for teachers and Music Instructors has resulted in authorities revisiting the annual leave entitlement for Associated Professionals to ensure parity.

3.5 Other considerations

It should be noted that all associated professionals are senior managers within the council on grades equivalent to grades 9-12 of the LGE grades. (Section Head and Manager levels).

Teachers and Music Instructors have had their annual leave entitlement amended to 40 days annual leave and 26 days school closure which are in essence 'unpaid days'. In contrast Associated Professionals have access to the flexi leave system which enables these changes to be implemented with no real change to the holidays they can actually take. Flexi leave can be accrued and used to supplement the annual leave provision.

It should be the intention of the committee to maintain consistency and equity for all SNCT employee's.

3.6 Impact on Associated Professional is WDC

Within WDC there are 25 associated professionals affected by this change. Of these 25 employees 5 have less than 5 years service with the authority (or associated authorities). The majority have continuous service in excess of 10 years.

Implementing the new entitlements will result in some personnel receiving less leave than they currently do and some personnel will receive more. This is due to them no longer accruing leave on an annual basis.

Due to the majority of staff having in excess of 10 years service, this change will result in a reduction of 2 days annual leave.

All staff are aware of these changes as detailed in the SNCT in August 2009.

4. People Implications

- 4.1 As this is a matter which directly relates to employees the people implications are as detailed above. All associated professionals will have their annual leave entitlement effected as a result of these changes – some gaining and some losing from the previous annual leave arrangements.

5. Financial Implications

- 5.1 There are no direct financial implications in so much as the annual salary of associated professionals will remain the same. However, indirectly there are costs and savings associated with each day that is lost or gained by members of staff. Annual salaries rates vary depending on the job role and are between £40,000 – 60,000 which is between £150 - £230 per day not including on costs.

When applying the new entitlements 27 days are lost by employee's overall and 12 days gained leaving a balance of 15 days.

6. Risk Analysis

- 6.1 It was not necessary to carry out a risk assessment for this paper.

7. Equalities Impact Assessment (EIA)

- 7.1 Failure to implement could result in more favourable treatment within a particular group of staff and divisions in the application of SNCT guidance.

8. Strategic Assessment

In terms of strategic assessment this change to annual leave entitlement links in with the best use of council money and the best use of our human assets. Obviously losing annual leave could have a negative impact on morale however this is recompensed by the flexi leave facility and must be considered alongside the national review of teachers terms and conditions. Teachers and Music instructors have also experienced similar changes to their annual leave entitlement.

It will have no direct impact or change on the service provision provided by associated professionals.

9. Conclusions and Recommendations

- 9.1 It is important that the committee are aware of the situation with regard to Associated professionals and the context of this.
- 9.2 This report recommends that the LNCT note the changes that will be implemented on 1st April 2012.

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Appendices:	None
Background Papers:	SNCT Handbook
Wards Affected:	all Council Wards.