Guidance on additional hours and overtime

Rates of Pay

In all cases the rate of pay must be that appropriate to the job in accordance with the normal terms and conditions for employees in that school. Schools must not devise rates of pay, hourly or otherwise, outside of those normal terms and conditions.

Additional Hours

Teachers

Classroom teachers can be directed for up to 1265 hours per annum spread reasonably, in the case of full-time teachers, over 195 days. The School Teachers' Pay and Conditions Document also provides that in addition to these hours (commonly known as directed time) a teacher must work such reasonable additional hours as may be necessary to enable the effective discharge of the teacher's professional duties, including in particular, planning and preparing courses and lessons and assessing, monitoring, recording and reporting on the learning needs, progress and achievements of pupils. They work these hours at a time and place of their own choosing, provided that the work is done by the time it is needed. They are not paid anything extra; these hours are covered by their salary.

Part-time teachers may be asked by head teachers to work extra hours above their normal contract during one or more school days, i.e. increasing their normal proportion of full-time and therefore increasing their salary likewise. In these cases, the School Teachers' Pay and Conditions Document requires the proportion of fulltime for that teacher to be temporarily recalculated. Examples of cases of temporary increases in hours include attending a training day which falls on a day of the week on which that teacher does not normally work.

Increases in hours do not cover attending staff meetings or parents' evenings after work; those hours come under the proportion of 1265 hours for which the part-time teacher can be directed (provided that they occur on a day when the part-time teacher would normally work, even if the teacher does not work for the whole day) and no extra salary is due.

No teacher can be required under their contract of employment as a teacher to undertake midday supervision. They may volunteer to do it, but this would be without payment; in these circumstances the teacher would be entitled, under the Burgundy Book, to a free school meal.

Teachers may be offered separate contracts as lunchtime supervisors, but schools must have regard to the statutory requirement for teachers to have a break of reasonable length either between school sessions or between the hours of 12 noon and 2.00 p.m. Teachers employed as lunchtime supervisors are not entitled to a free school meal.

Support staff

Part-time support staff may be asked to work extra hours as part of their normal job. As with teachers, their normal contracts of employment should be varied by increasing, temporarily or permanently, their proportion of full-time.

This procedure is limited to work matching the job-evaluated duties of the employee's post. It must not be used when the employee is being asked to undertake different work. For example, if a qualified teaching assistant (Band B) or a senior school secretary (Band B) is invited to work as a lunchtime supervisor (Band A), a separate contract of employment must be offered on the appropriate grade, terms and conditions.

Invigilators

Invigilators are required only at certain times of the year. If existing employees undertake invigilation outside their normal jobs and outside their contracted working hours, they will normally be paid on a casual basis using an hourly rate of pay derived from the minimum point on BAND A. It is also open to schools to appoint examination assistants on temporary contracts, because the duties of an examination assistant include invigilation.

Out of School Hours Learning Activity Payments

Separate guidance on these payments is available on the HR Portal.

OVERTIME

Teachers

The School Teachers' Pay and Conditions Document does not provide for overtime payments to teachers.

Support staff

The National Agreement on Pay and Conditions of Service (The Green Book) provides that support staff employed on Bands A & B only are entitled to receive overtime payments if they are required to work in excess of 37 hours in a week.

For full-time, all year round staff, any hours over and above 37 hours a week worked at the request of the school will be paid at time and a half.

Part-time employees are paid plain time for extra hours requested by the school until they reach 37.00 hours in total, after which they too become entitled to time and a half.

Where employees work banked hours, they must complete 37.00 hours plus their normal banked hours for the week before they can be paid overtime.

Overtime is only paid after 37.00 hours has been worked. The 30 minutes between 36.50 and 37.00 hours cannot be paid at the enhanced rate as it is already included in the employee's basic salary.

Employees on Band C and above who undertake planned overtime can be paid overtime by prior agreement, but only at plain time. Where possible these staff should be encouraged to take time off in lieu rather than being paid overtime.

Overtime should be used only to meet a temporary need and only for extra work matching the job-evaluated duties of the post. Permanent extra hours for a part time employee should be treated as additional hours – see above.

There are special provisions for stand-by and recall to work for support staff and the relevant parts of the employee's contract should be consulted.

Term Time Only Employees

Employees who work term time only and who work additional hours should not be paid overtime for the additional hours but should be paid at plain time. In order to qualify for overtime payments, they must work the total hours of an employee working all year round on a full-time basis before they qualified for enhance payments.