



# TEMPORARY TEACHERS



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## CONDITIONS OF SERVICE FOR TEMPORARY TEACHERS

1. Strictly, the correct term is “holder of a fixed term contract” but this term is rarely used. The SNCT use “temporary”.
2. Almost all the problems lie with personnel and finance departments and relate to item 4 below.
3. There are, however, significant problems in many Districts because senior managements believe that they are able to employ, dismiss and ascertain the salary arrangements for holders of FTCs. They are not and authorities should be made aware of the hugely difficult cases which arise when SMTs try to act as employers.
4. The significant issue is rate of salary and it must be clearly established that LNCTs have no right to vary the national arrangements. The issue which arises constantly throughout the country is the failure to recognise that Circular SE/26 clearly states that “temporary teachers will normally be paid for a complete day session”. This means they receive 1/195 of salary per day. (The 1/195 may be split into two elements: the 1/261 part and later 33.8% of this amount as “holiday pay”.) **This is the amount to be paid regardless of whether the teacher does any “after school activities”. There is no “supply rate”.** School authorities and Finance Departments are not entitled to vary this rate “because the teacher is just supervising and not teaching”.
5. There is no facility to enable the employer to avoid the “full day” (except as below). The DHT cannot say “we need you only for periods 2, 3, 4 and 5”. Put more simply: the first minute of a day’s service costs the employer 1/195 of salary: the rest of the day is unpaid.
6. If the teacher agrees in advance, the above condition can be varied but the teacher’s agreement is best given in writing.
7. Temporary teachers are entitled to the same maximum class contact time as permanent staff. 22.5 hours per week equates to 4.5 hours per day. This is (contractually) the limit of the teaching a “supply” teacher can do per day. It is, however, common (and acceptable) that the teacher agree with the school authorities that if the requirement to complete a 7 hour day is waived, the right to this maximum class contact time is also waived.

8. Teachers who are the holders of long term temporary contracts are entitled to be treated as permanent staff in all matters except this contractual status. Problems often arise because a teacher arrives in a school to undertake one or two days “supply” but is retained on the staff for a very much longer period. Once a teacher has been in a school for (say) 6 months teaching his/her teaching subject, the teacher should be paid in the same way as a permanent teacher. The “time sheet” requirement should be discontinued. At the same time arrangements should be put in place to ensure that the teacher operates the full 35 hour week, does the 35 hours CPD, has a line manager etc. The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 may be of relevance here.
9. **Once all of this is agreed, Personnel, Finance and Headteachers should be so informed!**

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