

Term-Time Only Contracts

I have produced this guidance as there still appears to be much disparity when calculating paid holiday entitlement for nurses employed on term time only contracts.

Although we want to see a move towards the School Nursing Service being a full time service there will always be school nurses employed on term time contracts and with Family Friendly Policies there is likely to be other nurses employed on a term time basis.

The number of weeks actually worked on term time only contracts varies from 38 – 42 weeks per year.

Term time only staff are entitled to paid holiday and pro rata bank holidays.

Nurses employed on 52 week contracts i.e. all year round are entitled to 25 days or 5 weeks paid holiday and 8 bank holidays plus 2 additional days (usually designated) which equates to an additional 2 weeks paid holiday. The weeks based on a 5/7 basis irrespective of the hours worked each day. This makes a total of 47 weeks actually worked for staff on 52 week contracts.

A basic formula for working out paid holiday for term time nurses is :

$$\frac{\text{Number of weeks paid holiday for full time staff}}{52} \times \text{Number of weeks worked term time}$$

Example – Nurses employed on 39 weeks contracts their paid holiday entitlement would be

$$\frac{7}{52} \times 39 = 5.2 \text{ weeks paid holiday}$$

$$\text{or } \frac{5}{52} \times 38 \text{ plus pro rata of bank holidays}$$

In addition health visitors and nurses employed on 52 weeks contracts if sick during time of annual leave are entitled to have annual leave designated as sick leave and annual leave accrued. It is recommended that trusts stipulate what is paid and unpaid leave for term time only contracts to ensure equity.

For short periods of sickness this would only result in unpaid leave then being designated as paid leave, essentially only a paper exercise. But for longer periods of sick leave where all unpaid leave had been transferred to paid annual leave it would result in nurses being entitled to take annual leave during term time.

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November 2001