



The Balcarras Trust

Supply Staff Procedure

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The Balcarras Trust will employ supply teachers in line with 'Agency Workers Regulations 2010: Supply Teachers Guidance for maintained schools, academies, free schools and independent schools' (September 2016) published by the Department for Education which complies with the Agency Workers Regulations (AWR) 2010 which came into force on 1 October 2011.

1. Employing Agency Supply Teachers

The Balcarras Trust will only use Supply Teacher Agencies that are regulated by the Department for Business Innovation and Skills' Employment Agency Standards Inspectorate.

If a Supply Teacher is employed by a Supply Teacher Agency, the School Teachers' Pay and Conditions Document (STPCD) does not apply and an Agency can set the rates of pay and conditions of employment. Under the AWR, after 12 weeks in the same role with the same school or LA, an Agency Supply Teacher is entitled to the same pay and conditions of employment as teachers employed by the Trust.

An Agency Supply Teacher can move between The High School Leckhampton and Balcarras School, as these school are within The Baclarras Trust, without stopping the clock on the qualifying period, unless it is to a substantively different role. If an agency supply teacher moves into a maintained school or into employment with a different Academy Trust, the qualifying clock resets to zero.

2. The Responsibilities of the Trust as 'Hirer'

The Trust is defined as 'The Hirer' and is responsible for supervising and directing the agency worker while they undertake Supply Teaching in the School. The Trust will delegate the day-to-day management of the Supply Teacher to The Headteacher of the School.

If the Trust chooses to hire temporary Agency Workers through a temporary work agency, we will provide the agency with up-to-date information on our terms and conditions so that they can ensure an agency worker receives correct and equal treatment as if they had been recruited directly, after 12 weeks in the same job.

The Trust is also responsible for ensuring all agency workers can access their facilities and can view job vacancies from the first day of their assignment.

Schools in the Trust will ensure all Supply Teachers receive a reasonable 'Induction' into the School before supervising pupils. This will include:

- An introduction to the DSL
- Information about all Safeguarding Procedures
- Information about Health and Safety procedures including Fire and First Aid.
- Support with completing registers and reporting absence

- The Behaviour Policy
- Relevant Schemes or work and lesson plans

Every Supply Teacher will be given a named point of contact in the school, this is likely to be the Head of Department.

The Trust will monitor the quality of work and be clear to both the Supply Teacher and Employing Agency about when the work will terminate.

The Trust reserves the right to end the engagement of a Supply Teacher at any time should concerns be raised about their conduct or ability to carry out their role.

3. School Closures

The AWR recognise that in some instances a workplace might close due to the temporary cessation in the Trust's requirements for any worker to be at the establishment. This could be applied to a school closure (for example, summer holidays).

If an Agency Supply Teacher is working before and after such a closure and is, for example, 6 weeks into a qualifying period for equal treatment, the qualifying period would pause at the end of one term and start again at the beginning of the next so long as the agency worker returns to the same job with the Trust.

4. Pay for Agency Supply Teachers

- **Holiday pay**

After the qualifying period, Agency Supply Teachers will be entitled to the same terms and conditions, including working time and annual leave, as direct recruits. The Trust will not pay Agency Supply Teachers for additional leave to which direct recruits are not entitled.

Agency Supply Teachers will receive payment for statutory annual leave when they take the leave in accordance with the Working Time Regulations 1998.

- **Cover Supervisors and Teaching Assistants**

The Trust will determine the relevant rate of pay according to the nature of the job, not the qualifications of the teacher. For example, if a school asks a temporary work agency to provide a cover supervisor or a teaching assistant, and the person engaged to do the work is a qualified teacher they would be expected to carry out the role of a cover supervisor or a teaching assistant and should be paid as cover supervisor or teaching assistant.

The role of a cover supervisor is to supervise a class in carrying out a pre-prepared exercise but it does not involve teaching a class. If, however, the person is asked to do specified work (teaching) as part of this role then after the qualifying period, they must be paid as outlined below.

- **Teaching Pupils**

If the Trust asks a temporary work agency to provide a teacher to carry out specified work in a school in the Trust and the person engaged to do the work is a qualified teacher they will be paid as a qualified teacher. If the person engaged to do the specified work is an unqualified teacher they will be paid as an unqualified teacher. "Specified work" means planning, preparing and delivering lessons and courses to pupils and assessing and reporting on the development, progress and attainment of pupils.

The Trust is free to set its own terms and conditions. Currently, the pay ranges for teachers in its schools are set out in the STPCD (this does not cover teaching assistants or other people who are employed to carry out specified work under paragraph 6 of the Schedule to the Education (Specified Work) England Regulations 2012).

It should be noted that in September 2013, the STPCD removed portability of salary and The Trust is not required to match a teacher's previous salary when the teacher moves to a new post at a new school.