

National Joint Council for local government services

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**To: Chief Executives in England, Wales and N Ireland
(additional copies for HR and Finance Directors)
Members of the National Joint Council**

23 November 2021

Dear Chief Executive,

The Queen's Platinum Jubilee 2022: additional guidance for Term-Time Only employees

As notified previously in NJC circular dated 13 November 2020, the Government has announced that there will be [an additional bank holiday](#) to celebrate Her Majesty The Queen's Platinum Jubilee.

The late May bank holiday will be moved to Thursday 2 June 2022 and an additional Jubilee bank holiday will be on Friday 3 June 2022.

In accordance with Part 2 Para 7.1 of the Green Book, all employees will be entitled to a holiday with a normal day's pay for the additional bank holiday (pro-rata for part-time employees).

In addition, DfE has laid regulations to reduce the school year from 190 days to 189 days for the academic year 2021-22, as a result of the additional bank holiday. For many staff, this may result in a reduction in their working year.

The NJC recognises that because of the different remuneration arrangements in place in individual organisations, there is no one-size-fits-all approach to whether, and how, to adjust Term-Time Only (TTO) pay and leave entitlement to take account of the additional bank holiday. However, all employers will need to ensure that part-time staff are provided with a pro-rata entitlement for the additional bank holiday.

TTO employees

In relation to TTO employees, the Green Book Part 4.12 Para 13.2 provides: *"If the Government announces an additional public holiday(s), a TTO employee's pay should reflect the additional public holiday or an additional period of paid leave during term-time could be granted"*

Where there is a reduction in the working year of the TTO employee

The vast majority of TTO staff are contracted to work either 190 or 195 days per year. The NJC advises that in cases where the reduction in the school year means that employers will now require these staff to work either 189 days or 194 days respectively in 2021-22, one approach to providing the additional bank holiday entitlement would be to make no adjustment in the remuneration arrangements for these TTO employees. This will provide these TTO employees with paid leave for the bank holiday as they will receive the same pay but work one day less.

However, for some TTO employees, whether they will benefit from the bank holiday will depend on their working pattern. Where a part-time employee would have been at work on the day of the bank holiday (or the day in the school year which is no longer one of the 190 days of directed time), they should continue to receive pay for this time (as above). This will give them paid leave for the additional bank holiday.

Where there is no reduction in the working year

However, where a part-time employee's working pattern means that they are still working for the full number of days / hours for which they are contracted to work annually, they will need to be given an additional pro-rata paid leave entitlement to reflect the additional bank holiday.

For example: (see also [NJC circular dated 28 June 2021 "Green Book: updated Part 4.12 guidance"](#))

A TTO employee works three days a week.

39 weeks x 3 days = 117 days per year.

If they have at least 5 years' service, their holiday entitlement in a normal year would be as follows: 117 days x 0.1551¹ daily leave entitlement = 18.1467 days.

In the year with the additional bank holiday, their working pattern is such that they are still required to work for 117 days in the year, the revised calculation of leave would therefore be: 117 days x 0.1602 = 18.7434 days.²

This is an increase in leave entitlement of 0.5967 of a day. This would be the correct pro-rata entitlement when compared to an all-year-round employee. The TTO employee should therefore receive additional pay for the extra leave that is accrued. The NJC recommends that any additional payment should be made to those affected staff who are in post on 3 June 2022.

Yours sincerely,

Naomi
Cooke

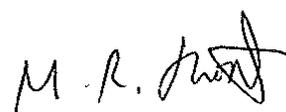
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¹ To see how this 0.1551 figure is arrived at, please see para 6 at [NJC circular dated 28 June 2021 "Green Book: updated Part 4.12 guidance"](#)

² The increase in FTE total paid leave from 35 to 36 days produces an accrual rate of 0.1602 per working day