



One to One Tuition Guidance on the Recruitment of Tutors

Who can I use as a tutor?

1. Tuition can only be carried out by a qualified teacher. This means;
 - Someone with qualified teacher status (although they do not have to be currently teaching)
 - An overseas qualified teacher eligible to teach in schools in England*
 - NQTs in the summer before they achieve QTS
 - Those with teaching and subject specific qualifications from the HE or FE sectors
 - All tutors must be members of the General Teaching Council (GTC)

** Please bear in mind that there are two types of overseas teachers – Overseas Trained Teachers (OTT's) and Overseas Teachers with UK Qualified Teacher Status (OTQTS). Both must hold work permits/certificate of sponsorship or have permanent residency rights, but an OTT can only work for 4 years without gaining QTS. This 4 year period starts from the day they first undertake any teaching work, including supply, and continues to countdown even if they stop teaching work for a while (excluding periods of statutory maternity, adoption, paternity and parental leave and pregnancy related absences during the 4 years).*

2. All tutors must hold the appropriate level of disclosure; an enhanced Criminal Record Bureau (CRB) Check. Where a teacher does not hold an enhanced check one must be obtained through the usual school process. The CRB recommends that although CRB checks are portable, that this should only apply where the individual has not moved local authority. It is recommended that where there has been a move between local authorities a new CRB check is obtained.
3. All tutors must have been checked against the barring lists, had their ID, right to work in the UK and qualifications checked by the school before they commence employment. Other safe recruitment and good practice measures must be followed in accordance with DCSF statutory guidance including pursuing additional recruitment checks, as required, such as receipt of satisfactory references and satisfactory health clearance. The school should ensure that children are not left alone with a Tutor until all recruitment checks are satisfactorily completed.
4. Schools in the pilot phase of one-to-one tuition employed tutors from a variety of backgrounds. Many have been full or part-time teachers currently working in schools and some have been retired or supply teachers. Several schools negotiated a contract with local private tuition or supply teacher provider. It is up to schools by which means they choose to source tutors for the one to one tuition programme



How do I pay the tutor?

5. Anyone employed as a tutor will be subject to School Teachers Pay and Conditions. This applies regardless of whether the tutor is currently employed as a teacher, or if tuition is their main and only job. The only situation where this does not apply is if the tutor is employed by an intermediary agency, such as a supply agency. In this instance the agency will determine the tutor's contract (including their pay).
6. Schools are able to use their own teaching staff as tutors. However, if tuition is completed during the normal school day, when they are already contracted to be working they will not be able to claim for these hours. Teachers who provide tutoring outside of school hours or during the school holiday should submit an out of hours claim form for the £25 per hour national rate. Please contact Schools' Personnel Service for more details.
7. If a school uses a part time teacher, or teacher not currently working, as a tutor, they will need to be set up on a supply contract. Tuition completed during the school day will need to be paid at that teacher's current (or previous if not currently working) pay point and submitted on a supply claim form. This rate may be higher than the funding offered by the one to one tuition programme, and will need to be subsidised by the school. If tuition is offered outside of the school day, in addition to any contracted hours, tutors do not have to be paid according to their usual pay arrangements. In this case, they should submit an out of hours claim form.
8. Teachers cannot work more than 48 hours over a 17 week reference period. Caution should be taken if you feel the tuition would take the teacher over this amount.

Is employment as a tutor pensionable?

9. Employment as a tutor falls within the scope of the Teacher's Pension Scheme (TPS). Whether the employment is (i) solely as a part-time tutor or (ii) in addition to other employment by the school, it is pensionable, unless:
 - a) the tutor has formally opted out of the TPS (this would apply to all employment that falls within TPS – a person cannot make a partial opt-out only in relation to employment as a tutor)
 - b) the tutor is already making TP contributions on full-time employment
10. Employment of a tutor who is supplied by an agency and paid by the agency falls outside of TPS and is not pensionable
11. The hourly rate for a tutor claiming 'out of hours' work for one to one tuition has been recommended at £25, this has been calculated according to feedback from the DCSF pilot 'Making Good Progress'. The school will be reimbursed £29 per hour for each tutor, which includes £4 for the employers 'on costs'.



However, it is for each Governing Body to determine the hourly rate to be paid for out of school hours one-to-one tuition to be incorporated in their pay policy.

Once an agreement is made, what happens next?

- 12.** Once you have agreed to employ a tutor, we recommend that you should set out the terms of agreement in a written document, such as a letter. This should include details of the number of children to be tutored, any arrangements made about timing and the agreed hourly rate. If any of these details change, because, for example, a tutor agrees to take on an additional pupil, the letter should be updated or a new letter produced.
- 13.** It is recommended that you draft an agreement to make it clear that payment will only be made in respect of actual hours worked. If a pupil is sick or absent, every attempt should be made to reschedule the tutoring session. If a pupil fails to turn up for a tuition session, or the tutor is not informed that a child is absent and so arrives to deliver the tuition session, the tutor should be paid for that session. There is no funding available to cover travel expenses incurred by tutors.
- 14.** In addition, for work outside the existing contract of employment, your personnel provider should prepare a contract variation or supply letter, as appropriate to each employment situation.
- 15.** The school must make the Tutor aware of the professional standards expected of him/her including a written statement on school policies and procedures and key expectations, particularly with regard to safeguarding precautions relating to tuition in off-site locations.

For further information, please visit

<http://www.teachernet.gov.uk/teachingandlearning/onetoone/>

If you have any queries regarding employment of tutors, or would like further information please contact Linda Nutley by telephone on 01732 876639 or email linda.nutley@kent.gov.uk

Full details of the One to One programme are available on the ASK web site -

www.kenttrustweb.org.uk/ask