**PROCEDURE FOR ENGAGEMENT OF TEACHING SUPPORT ASSISTANTS (TUTORS, DEMONSTRATORS/TUTORIAL ASSISTANTS) AND GUEST LECTURERS**

1. **Introduction**

This guidance supports the Policy on Teaching and Teaching Support (June 2018) including the Teaching Support (TS) Framework.

The engagement of TS assistance (Tutors; Demonstrators/Tutorial Assistants) and Guest Lecturers allows the University to meet its varying teaching needs in supplementing its core staffing base.

These positions are part-time and non-permanent in nature and provide teaching support for schools as and when required. They are not positions treated or designated by the University as a ‘Member of Academic Staff’ as defined in the University’s Statutes nor are they regarded as employees of the University but are engaged under either a short term-time worker contract (where they are required to work for a defined period of time) or a Guest Lecturer (for one off pieces of work and/or on no more than 3 sessions per annum).

# Procedure for Engagement of TS Assistants - Tutors and Demonstrators/ Tutorial Assistants *(refer to Overview of Process for Engagement of TS at Appendix 1)*

# Description of Tasks and Specification

# A standard specification setting out the duties and requirements of the position will be used as part of the selection process. Those responsible for preparing specifications will ensure that the level of the essential criteria in the specification are indeed essential for satisfactory performance and ensure that no extraneous or irrelevant requirements are included, in particular those which may have equality implications.

# Advertising and Notification of Teaching Support

# Requirements for TS Assistants (Tutors and Anatomy Demonstrators) will be notified by way of a composite advertisement for each School which will be placed in the local press and on the University’s Website. If an open advertisement fails to provide sufficient, suitable candidates then a direct approach to suitable individuals may be made.

# Demonstrator/Tutorial Assistant positions will normally be drawn from suitable registered students of a relevant School and it would be expected that those willing to undertake the role will automatically have the opportunity to do so. In situations where the number of candidates exceed the number of available positions a formal selection process will ensue as outlined below. Postgraduate students are required to discuss the extent of their commitments with their supervisor who will require students to undertake a workload which does not compromise their research. A training programme and an allocated number of teaching hours will offer postgraduate research students a rounded career opportunity as well as providing financial assistance.

# Selection

# The selection of Tutors (and Demonstrators/Tutorial Assistants where the number of candidates exceed the number of positions) will be made by a panel of academic staff nominated by the Head of School. Panels will ensure that they apply the requirements fairly and consistently when making selections. Criteria should be based upon the specification and the advertisement. Criteria which are not contained in the specification and advertisement should be avoided but if they are used, for example, to reduce an unmanageable number, the criteria must be recorded and applied consistently. In these circumstances new or additional criteria must be clearly related to the duties and responsibilities of the position. Documentation used in the selection process should indicate the criteria being used and a record kept of why each candidate was successful or unsuccessful.

# Assessment of Candidates

# Panel members will make an individual assessment of each application against the criteria outlined in the specification. On conclusion of assessment a consensus on the rank order of candidates will be reached by the panel. The panel will also agree an outcome for each candidate identifying the successful and unsuccessful candidates. If an interview is required, the selection panel will agree a format for interviews which will include an outline of core areas of questioning in advance of interviews taking place and also agree a weighting scheme for marks if appropriate.

# Documentation

# Standard documentation including specifications, rating forms and assessment sheets etc will be used in the recruitment process as necessary and decisions in relation to the selection of candidates will be formally recorded. Clear records will be kept at each stage of the process giving the reasons for the rejection of unsuccessful candidates and the reasons supporting the selected candidates.

# Notification of results and engagement

# Candidates will be notified of the result of their application accordingly. This will be done as soon as it is practicable following the shortlist or selection stage.

# In the case of Tutors successful candidates will have their names added to an approved list which will be valid for a period of four years.

# Only when a Tutor is engaged from this list will a short term-time worker contract be issued.

# The School will send a list of Demonstrators/Tutorial Assistants and a list of the pool of Tutors to Academic and Student Affairs.

# Please note, in all cases:

# Right to Work checks must be conducted before engagement documentation is issued to a candidate – unless up to date RTW information is already held on file

# The duration of the engagement must not exceed 12 months and ideally should be on a semester by semester basis

# The Head of School (or nominee) will issue a standard short term-time worker contract to each candidate upon engagement

# Schools must use the Payment Calculator to work out the payment due to each individual over the course of the engagement

# In respect of accrued annual leave Schools may either:

* + Contract individuals on a semester by semester basis and pay accrued leave on termination
  + Contract individuals for up to 1 year and schedule accrued leave to be taken during University closure periods.

# Exceptions to the TS Framework

The Policy notes that in some instances it may be necessary to access support which does not fit within the Framework. These Exceptions will require approval via the PVC Education and Students before engagement can commence.

Examples will vary but might include the use of:

* Undergraduates in some computing courses
* Industry Experts specifically where they are required to deliver lectures on more than 3 occasions per annum (NB: where engagement will be for 3 or less, please refer to section 3 *‘Procedure for Engagement of Guest Lecturers’*below).

In recognising the need to use Industry Experts, it is accepted that remuneration for industry experts should be aligned to industry rates, as appropriate, and/or be negotiated and agreed on an individual basis. Determination of an hourly rate of pay will vary on a case by case basis and may result in:

* Negotiation of an appropriate hourly rate (NB: care must be taken to ensure that rates are above National Minimum Wage)
* Alignment with the hourly rates used for work under the TS Framework (aligned to the bottom of AC1 or AC2)
* Alignment with industry rates e.g. those determined by DHSSPS.

Industry Experts will normally be professionals (e.g. social work, architecture, medicine, tax advisers) who bring their expertise and professional insight to support the teaching and academic curriculum in a School. In HMRC guidance such lecturers are known as Occasional Lectures. The lecturer is engaged for limited and ad hoc work.

The Industry Expert role will differ to some extent across Faculties, but examples might include:

* Creative Arts engages instrumental/voice tutors, and also managers from the cultural arts sector to deliver the MA Arts Management
* Use of a tax expert to design and deliver a tax module
* Teaching support in MHLS is often provided by Health Service colleagues, and attracts rates agreed by the DHSSPS.

It is important to establish the correct employment status for tax purposes for individuals in the Industry Expert category. To assist Schools in making decisions the University has produced a [Flowchart for Engagement of Teaching Support](https://www.qub.ac.uk/directorates/HumanResources/hr-filestore/Filetoupload,866892,en.pdf).

In order to manage the risks of incorrectly paying an individual without the deduction of income tax and NIC, the defaultemployment status for such individuals is as a Worker, on a contract of service. The contract to be used is the Short Term Time Worker Contract (Non Framework).

Where an individual specifically asks to be engaged on a self-employed basis, the HMRC CEST (Check Employment Status Tool) must be completed to determine whether this is appropriate. The tool must also be applied where an individual wishes to provide services through an intermediary, such as the worker’s own limited company (known as a personal services company, (PSC), a partnership, or another individual, in line with HMRC’s IR35 rules. **The tool will help the University to decide if the individual’s status would be “employed” if there were no intermediary. In these scenarios you should seek advice from your HR Business partner in the first instance, and they will refer to the Payments Office for further advice if necessary.** The CEST tool can be found at:

<https://www.gov.uk/guidance/check-employment-status-for-tax>

NB: Schools must use information about the actual working practices during the engagement to decide what the employment status should be, and should not rely on any label, description, or job title.

On completion of the CEST tool, Schools must download and save the report which summarises the responses to the questions and provides a judgement on the employment status. Should the tool return a ‘self-employed’ status, the engagement may be undertaken using a contract for service contract (i.e. not through payroll). The industry expert will be a contractor and will be responsible for all income tax liabilities and NIC payable in respect of the payments made to them under the contract. The engagement of contractors should follow University Procurement policy. Prior to paying invoices the Payments Office will require a copy of the output from the CEST tool and confirmation that the individual is self-employed.

The University makes an annual return to HRMC of all payments made to all medical and teaching professionals for any service they provided for which no PAYE tax has been deducted. Individuals (and the University) may have to pay unpaid tax and penalties, or lose entitlement to benefits, if their employment status is wrong.

In cases where input is required from a professional firm, e.g. architects, accountants etc, a competitive process should be arranged say every 3 years seeking input/support. The advertisement would specify the approximate number of hours per week/semester, the nature of the input i.e. depth, subject matters etc. Rates payable may be by negotiation and payment would be made on issue of a VAT invoice from the firm involved. Schools should note that the Procurement Office must be involved in the initial tender exercise.

Industry Experts should be engaged on the basis of hours and hourly rate wherever possible. However, in certain circumstances it may be necessary to agree a level of remuneration for the services provided, as a total amount. In either case this information should be included in the contract of service, so that the basis of payment is transparent. From April 2019 all workers, who are “time paid”, i.e. for whom pay varies by reference to hours worked are legally entitled to an itemised payslip showing hours and rate of pay.

# Training

# TS Assistants will receive initial compulsory training normally organised on a School basis, will attend other courses as requested by the Head of School and will have designated members of staff to act as mentors who will guide and advise as well as monitoring the quality of teaching.

1. **Procedure for Engagement of Guest Lecturers**

Please note that Guest Lecturers are not covered by the TS Framework.

The University takes direction from Her Majesty’s Revenue and Customs’ (HMRC) guidance on Visiting Lecturers who give a one off talk or short series of talks on a subject about which he or she has specialist knowledge and which is not part of the core curriculum. The guidance states that such an individual is likely to be self-employed. **For the purposes of this guidance a Guest Lecturer is an external specialist who is invited to lecture on no more than 3 sessions per annum.**

Guest Lecturers include international visiting lecturers, and speakers. They are appointed to make a contribution to programme delivery which adds value but is not in itself part of the core curriculum. Their contribution to teaching in terms of time will be on the basis of a one-off or short series of lectures and their presence will very much be on an as required basis. Guest lecturers will offer, for example, a master-class or lecture (up to 3 sessions per annum) which shares expertise not available within the University among academic staff and TAs/PGTAs.

Guest Lecturers should be engaged via the Guest Lecturer contract for services and a fee paid to them on receipt of invoice via the Payments Office. Please note that no PAYE / NIC is payable in this instance.

In all cases, Guest Lecturers will be engaged on an individual basis due to the unique contribution of the person concerned. Discussion/negotiations will take place with the individual to agree:

* + - * + what work is required
        + the terms of the engagement (see Guest Lecturer contract for services, and cover letter template)
        + the rate payable (NB: Payment should be aligned to industry rates, as appropriate, and/or be negotiated and agreed on an individual basis ensuring that total payment per annum must not exceed £2,500 per annum).

Right to Work checks are not required for individuals engaged on Guest Lecturer contracts.

Where you require assistance with issues around contracting please contact your local HR Business Partner for advice.

1. **Overview**
   1. The Human Resources Department in conjunction with Academic and Student Affairs and the Finance Directorate will be responsible for the oversight and review of these procedures and for ensuring that the principles contained therein are consistently applied throughout the University.

**APPENDIX 1:**

**PROCESS FOR ENGAGEMENT OF TEACHING SUPPORT (TUTORS AND DEMONSTRATORS/TUTORIAL ASSISTANTS) – please refer to section 2-2.6**

**NB – this process is not required to be followed for Guest Lecturers**

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| --- | --- |
| **Heads of School estimates requirements for TS Assistants** | |
| **Tutors** | **Demonstrators/Tutorial Assistants** |
| Composite advertisement for each School placed in the local/appropriate press and on the University web site | Positions will be filled by suitable registered students of the relevant School on the expectation that those willing to undertake the role will automatically have the opportunity to do so |
| School makes recruitment arrangements following the required procedure using standard documentation and selects candidates to be placed on a list which constitutes a pool of Tutors.  Candidates advised by the School if they have been placed on list | Where the number of candidates exceeds the number of positions the School makes recruitment arrangements following the required procedure using standard documentation and selects candidates |
| School **checks Right to Work** status and **[Flowchart for Engagement of Teaching Support](https://www.qub.ac.uk/directorates/HumanResources/hr-filestore/Filetoupload,866892,en.pdf)** and sends the appropriate contract to the candidate at the time of the actual engagement – contract types include:   * **Short Term Time Worker Contract (Framework)** * **Short Term Time Worker Contract (Non Framework)** | School **checks Right to Work** status and **[Flowchart for Engagement of Teaching Support](https://www.qub.ac.uk/directorates/HumanResources/hr-filestore/Filetoupload,866892,en.pdf)** and sends the appropriate contract to the candidate at the time of the actual engagement – contract types include:   * **Short Term Time Worker Contract (Framework)** * **Short Term Time Worker Contract (Non Framework)** |
| School advises Finance of the person engaged and gives details for the purpose of payment  School reports list of pool of Tutors to Academic and Student Affairs | School advises Finance of the person engaged and gives details for the purpose of payment  School reports list of Demonstrators/ Tutorial Assistants to Academic and Student Affairs |

**APPENDIX 2:**

**SAMPLE ADVERTISEMENTS**

**ADVERTISEMENT**

**Queen’s University Belfast**

**Teaching Support Assistants (Tutors)**

Applications are invited from suitably qualified persons to enable the School of -------------- to compile a register of Tutors. A list of subject areas for which applications are invited is set out below.

Successful applicants will fully contribute to the delivery of teaching and conduct of assessment to agreed standards. They will be engaged under a short term worker contract and will not be employees of the University.

Subject areas:

Payment will be at an hourly rate according to activity (see Teaching Support Framework).

Application: Interested individuals are requested to submit a full CV to the School of -------------------.

**ADVERTISEMENT**

**Queen’s University Belfast**

**School of XXXXXXX**

**Teaching Support Assistants (Tutors)**

Applications are invited from suitably qualified persons to enable the School of XXXXX to compile a register of Tutors. A list of subject areas for which applications are invited is set out below.

Successful applicants will fully contribute to the delivery of teaching and conduct of assessment to agreed standards. They will be engaged under a short term worker contract and **will not be** employees of the University.

Subject areas:

Further details including criteria for selection, rates of pay and information on how to apply can be found on our website: <https://www.qub.ac.uk/schools/ssesw/jobopportunities>

Closing date for receipt of applications is **XXXX**

Anticipated interview dates will be between **XXXX and XXXX**.

**APPENDIX 3:**

**SAMPLE JOB DESCRIPTIONS**

**Teaching Support Assistants**

**Sample Duties and Responsibilities**

**A Tutor shall:**

1. be responsible to the Head of School in which he or she is engaged or such other member of academic staff as may be designated by the Head of School.
2. undertake to the satisfaction of the designated member of academic staff and the Head of School such duties as shall be specified by the University. Such duties shall include teaching in lectures, seminars, tutorials, associated preparation, student supervision, attendance at meetings, and may include contribution to marking of coursework, written examination and other forms of assessment.
3. be responsible for all equipment etc and ensure that all procedures set out in the safety regulations shall be followed. Damage or deficiency must be reported immediately to the Head of School or other authorised persons and in the event of an accident, appropriate report forms must be completed.
4. keep records and comply with such procedures associated with teaching and assessment as may be specified.
5. undertake such training as may be specified by the Head of School.

The duties and responsibilities outlined have been listed as general and standard requirements but additions or amendments may be made to reflect the specific requirement of the School.

**A Demonstrator/Tutorial Assistant shall:**

1. be responsible to their supervisor/module co-ordinator
2. assist with laboratory classes, tutorials and seminars and supervise students as required under the direction of their supervisor/module co-ordinator.
3. be responsible for equipment used during laboratory classes, tutorials etc and report any accidents, damage or deficiency in accordance with school procedures.
4. keep records and comply with such procedures associated with laboratory classes, tutorials as requested.
5. undertake such training as may be specified by the supervisor/module co-ordinator.

The duties and responsibilities outlined have been listed as general and standard requirements but additions or amendments may be made to reflect the specific requirements of the School.