



# Pay Policy

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Agreed by governing body: Autumn 2016

Review date: Autumn 2017

Signed:

Chair of Governors:

Headteacher:

### **Introduction, aims, purpose of policy**

The prime statutory duty of governing bodies in England, as set out in paragraph 21(2) of the Education Act 2002 is to “...conduct the school with a view to promoting high standards of educational achievement at the school.” The pay policy is intended to support that statutory duty.

The governing body of Chase Bridge Primary School will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

### **Equalities legislation**

The governing body will comply with relevant equalities legislation:

- Employment Relations Act 1999
- Equality Act 2010
- Employment Rights Act 1996
- The part-time workers (prevention of less favourable treatment) regulations 2000
- The fixed-term employees (prevention of less favourable treatment) regulations 2002
- The agency workers regulations 2010

The governing body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

See ‘governing body obligations’ in relation to monitoring the impact of this policy.

### **Policy summary**

The policy makes reference to current legislation that impacts on pay. It also makes reference to how this links to job descriptions, access to records and the appraisal process. The obligations of governors, the Headteacher and staff are covered and there is further detail that attempts to address all eventualities that might occur when trying to make a determination about pay in a fair and equitable way.

### **Please also refer to the following policies and documents**

- Staff Appraisal Policy

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### **Equalities and performance-related pay**

The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified and minutes of any decisions, and the reasons for them will be kept. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or disability-related sick leave. The exact adjustments will be made on a case-by-case basis.

The school will do everything in its power to make a performance-related judgement. If little or no performance evidence is available from the relevant appraisal cycle, because the teacher has been away from school due to pregnancy, maternity or disability-related illness, it will use evidence from previous appraisal cycles.

In the absence of any evidence that the teacher would not have received the increase in pay, the school will make a pay award to avoid discrimination.

### **Job descriptions**

The head teacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the governing body. Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the school. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

### **Access to records**

The head teacher will ensure reasonable access for individual members of staff to their own employment records.

### **Appraisal**

The governing body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers.

The Appraisal Regulations state that appraisal objectives, for all teachers, including the leadership group, must be such that, if they are achieved, they will contribute to:

- (a) Improving the education of pupils at that school; and
- (b) The implementation of any plan of the governing body designed to improve that school's education provision and performance.

Assessment will be based on evidence from a range of sources (see the school's appraisal policy). Although the school will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (i.e. application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review.

The head teacher will moderate objectives to ensure consistency and fairness; the head teacher will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

### **Governing body obligations**

The governing body will fulfil its obligations to:

- **Teachers:** as set out in the school teachers' pay and conditions document ('the Document') and the conditions of service for school teachers in England and Wales (commonly known as the *Burgundy book*).
- **Support staff:** the national joint council for local government services national agreement on pay and conditions of service (*Green book*) or any LA pay/grading system.

The governing body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.

The governing body will ensure that appraisers, decision-makers and any appeal committee governors receive appropriate training to ensure fair and open decision-making.

The governing body will ensure that mid-year reviews are undertaken for teachers and all members of the leadership group.

The governing body will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see *Procedures*) and the school's spending plan.

The governing body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring the school's continued compliance with equalities legislation.

### **Head teacher obligations**

The head teacher will:

- develop clear arrangements for linking appraisal to pay progression and consult on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the governing body for approval;
- ensure that effective appraisal arrangements are in place, and that any appraisers have the knowledge and skills to apply procedures fairly;
- ensure that mid-term reviews are undertaken for all teachers, including the leadership group;
- submit pay recommendations to the governing body and ensure the governing body has sufficient information upon which to make pay decisions; and
- ensure that teachers are informed about decisions reached, and that records are kept of recommendations and decisions made.

### **Teachers' obligations**

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser; and
- ensure they have an annual review of their performance.

### **Differentials**

Appropriate differentials will be created and maintained between posts within the school, recognising accountability and job weight, and the governing body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

### **Discretionary pay awards**

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

### **Salary safeguarding**

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

### **Procedures**

The governing body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 19.2(e) of the Document. It will also allocate a percentage to be determined in the next round of budget setting for the financial Year 2016-17 to allow for the best teachers to make more rapid progress up the relevant pay range.

The governing body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

Where possible, no member of the governing body who is employed to work in the school shall be eligible for membership of this committee.

The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

The terms of reference for the pay committee will be determined from time to time by the governing body. The current terms of reference are:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised; and
- to work with the head in ensuring that the governing body complies with the appraisal regulations 2012 (teachers).

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

### **Annual determination of pay**

All teaching staff salaries, including those of the head, deputy head(s) and assistant head(s) will be reviewed annually to take effect from 1 September. The governing body will endeavour to complete teachers' annual pay reviews by 14<sup>th</sup> November and the head teacher's annual pay review by 31 December. They will, however, complete the process without undue delay.

### **Notification of pay determination**

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

### **Appeals procedure**

The governing body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). It is set out as an appendix to this pay policy.

### **Head teacher pay**

#### **Pay on appointment**

- The pay committee will review the school's head teacher group and the head's pay range in accordance with paragraphs four, five, six and eight (ordinary school), or paragraphs four, five, six, seven and eight (special schools)
- If the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set a pay range in accordance with the provisions of paragraph 6.6 or 7.9, as the case may be
- For appointments on or after 1 September 2014, the pay committee will determine a pay range, taking account of the full role of the head teacher (part seven), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2), including recruitment issues. The pay committee will take into account the factors set out in *Annex A* when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions
- The pay committee will consider using its discretion, in exceptional circumstances only, to exceed the 25 per cent limit beyond the maximum of the group range when setting the pay range for the head teacher, as set out in paragraph 9.3. However, before doing so, it will make a fully-documented business case and seek external independent advice
- The pay committee will use reference points within the pay range
- At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the governing body will adjust the pay range to ensure appropriate scope of two reference points, for performance related pay progression

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- The pay committee will have regard to the provisions of paragraph 9.4 in particular, and will also take account of the pay and ranges of other staff, including any permanent payments, to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability
- The pay committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10
- The pay committee will consider whether the circumstances specific to the role or candidate warrant a higher than normal pay range. It will exercise its discretionary powers, where appropriate, in accordance with paragraph 9.3. It will only set a range the maximum of which is more than 25 per cent above the maximum value of the group range in exceptional circumstances. In such circumstances, it will make a business case to the governing body and the governing body will seek external independent advice before giving agreement
- The pay committee will consider whether there is a need for any temporary payments (paragraph 10) for clearly time-limited responsibilities or duties. The total sum of the temporary payments made to a head will not exceed 25 per cent of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the head teacher group, except in wholly exceptional circumstances
- The pay committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances where it has made a business case and with the agreement of the governing body. The governing body will seek external independent advice before providing agreement

### **Serving head teachers**

- The pay committee will only re-determine the pay range of a serving head teacher, in accordance with paragraph nine, if the responsibilities of the post change significantly, or if the pay committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team made on or after 1 September 2014, or with pay arrangements for a member(s) of the leadership group whose responsibilities significantly change on or after 1 September 2014 (paragraph four)
- It will also re-determine the pay range if the group size of the school increases, or if the head takes on permanent accountability for an additional school(s) (paragraph eight, section three)
- If the pay committee re-determines the head teacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The pay committee will take into account factors set out in Annex A when determining an appropriate pay range and also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions
- The pay committee will consider using its discretion, in exceptional circumstances, to exceed the 25 per cent limit beyond the maximum of the group range, as set out in paragraph 9.3. However, before agreeing to do so, it will make a fully-documented business case and will seek external independent advice.
- The pay committee will use reference points within the pay range and will leave at least two reference points for performance-related pay progression

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- The pay committee will review the head teacher's pay in accordance with paragraph 11 of the Document (and paragraph 26 of the statutory guidance) and award one reference point where there has been sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the appraisal regulations 2012 and any recommendation on pay progression in the head teacher's most recent appraisal report
- Where the head's performance is exceptional, it will award accelerated performance related pay progression of two reference points taking account of the most recent appraisal and any recommendation on pay
- If the pay committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph nine; and paragraph eight of the section three guidance
- The pay committee will consider the use of temporary payments for clearly temporary responsibilities or duties only, in accordance with paragraph 10
- The total sum of temporary payments made to a head must not exceed 25 per cent of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the head teacher group, except in wholly exceptional circumstances
- The pay committee may determine that additional/temporary payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the governing body. The governing body will seek external independent advice before providing agreement

### **Deputy/assistant head teacher pay**

#### **Pay on appointment**

- For appointments on or after 1 September 2014, the pay committee will determine a pay range, taking account of the full role of the deputy/assistant head teacher (part seven), all indefinite responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2), including recruitment issues. The pay committee will take into account the factors set out in *Annex A* when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions
- The pay committee will use reference points within the pay range
- At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the governing body will adjust the pay range to ensure appropriate scope of two reference points, for performance related pay progression
- The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 59 to 68 of section three

#### **Serving deputy/assistant head teachers**

- The pay committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher (paragraph nine of section three guidance), or to maintain consistency with pay arrangements for new appointments to the leadership group made on or

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after 1 September 2014, or to maintain pay arrangements for a member(s) of the leadership group whose responsibilities significantly change on or after 1 September 2014

- When determining the pay range of a serving deputy/assistant head, the pay committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2), including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions
- The pay committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure, but will note paragraph 9.4
- The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 59 to 68 of section three
  - The pay committee will use reference points within the pay range and will leave at least two reference points for performance-related pay progression
- The pay committee will review pay in accordance with paragraph 11 and award one reference point where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report
- The pay committee will award accelerated performance related pay progression of up to two reference points if there has been exceptional performance, taking account of the results of the most recent appraisal and any pay recommendation

### **Acting allowances**

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with paragraph 23 of the Document. The pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid on the head's, deputy head range or assistant head range, as the case may be. Payment will be backdated to the commencement of the duties.

### **Classroom teachers**

#### **Pay on appointment**

Pay on appointment will be in relation to the range advertised for the post. The headteacher may take into account the teacher's previous pay entitlement when deciding on the pay on appointment but will not be bound by this.

The governing body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

#### **Annual pay determination**

The pay committee will use reference points. Therefore the pay scale for main pay range teachers in this school is: £ 26,139 - £36,544

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Minimum	£26,139
Reference point 1	£27,759
Reference point 2	£29,477
Reference point 3	£31,302
Reference point 4	£33,957
Maximum	£36,544

**Appraisal objectives will become more challenging as the teacher progresses up the main pay range. Objectives will, however, be such that, if achieved, will meet the requirements of the appraisal regulations 2012 (see Appraisal above).**

To move up the main pay range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in the teachers' standards. Teaching should be consistently 'good', as defined by Ofsted. However, this does not mean that every lesson observation needs to be 'good'.

If the evidence shows that a teacher has exceptional performance, the governing body will consider the use of its flexibilities to award enhanced pay progression, up to the maximum of two reference points. Teaching should be consistently 'outstanding', as defined by Ofsted.

Judgments will only be made on evidence gathered which is related to the formal appraisal process. As a teacher moves up the main pay range, this evidence should show:

- a positive impact on pupil progress;
- a positive impact on wider outcomes for pupils;
- improvements in any specific elements of practice identified to the teacher through the appraisal process, e.g. behaviour management or lesson planning; and
- a positive contribution to the work of the school.

Further information, including sources of evidence, is contained in the school's appraisal policy.

The pay committee will take account of the pay recommendation contained in the appraisal report. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

### **Applications to be paid on the upper pay range**

From 1 September 2013, any qualified teacher can apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at another school, they may submit separate applications if they wish to apply to be paid on the Upper Pay Scale in that school. Chase Bridge will not be bound by any pay decision made by another school.

An application is made by writing a letter to the headteacher. A typical letter should state that the teacher is hoping to move onto the Upper Pay Scale and confirm that the below evidence – which is necessary for the application to be considered – has been included.

The following key pieces of evidence are necessary for the teacher's application to be assessed:

- an up-to date CPD folder
- evidence from parent feedback from report slips or annual surveys
- any other additional evidence, for example, professional evaluations of work by external agencies (Teaching Schools, OfSTED, examination/assessment from courses, etc.)

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In order for their application to be approved, teachers' evidence must show that they have met the following criteria over the past two years:

- The teacher is highly competent in all elements of the Teacher's Standards including Part 1: Teaching, and Part 2: Personal and Professional Conduct
- The teacher's achievements and contributions to education in the school are substantial and sustained

At Chase Bridge, this is qualified as follows:

*Highly competent:* The teacher has excellent knowledge, skills and understanding of the Teachers' Standards, as demonstrated by their practice and their pupils' achievement

*Substantial:* The teacher's achievements and contribution to the school are significant in raising standards of teaching and learning in their own classroom, as well as making a significant wider contribution to school improvement, which impacts on pupil achievement and the effectiveness of colleagues

*Sustained:* The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and that they have taken on board feedback and training and have developed professionally.

One application may be submitted annually. The closing date for applications is normally September 1<sup>st</sup> each year (exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave). The process for applications is:

- Submit the aforementioned letter and supporting evidence to the head teacher
- The head teacher will assess the application
- The Governing Body will make the final decision, advised by the head teacher
- Teachers will receive written notification of the outcome of their application by 14<sup>th</sup> November. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria
- If requested, oral feedback will be provided by the head teacher
- Successful applicants will move to UPS 1<sup>st</sup> September 2-16; pay will be backdated
- Unsuccessful applications have the option of appealing the decision. The appeals process is set out in the Pay Policy

### **Upper pay range**

#### **Annual pay determination**

The upper pay range in this school will consist of three points: minimum, mid-point, maximum as set out below

Minimum:	£39,127
Mid-point:	£40,575
Maximum:	£42,077

Progression through the UPR will be considered when an application is made by writing a letter to the headteacher. A typical letter should state that the teacher is hoping to move up the Upper Pay Scale and provide evidence that the standards against 'highly competent', 'substantial' and 'sustained' have been consistently met.

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The pay committee will determine whether there has been continued good performance. In making such a determination, it will take into account:

- paragraph 19 and the criteria set out in paragraph 15.2 of the Document 2014;
- the appraisal report and the pay recommendation of the appraiser; and
- the appraisal evidence that the teacher has maintained the criteria set out in paragraph 15.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher's achievements and contribution to an educational setting or settings are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, *Applications to be paid on the upper pay range*.

Pay progression on the upper pay range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear that the appraisal evidence shows that the teacher has continued good performance, as set out above, and has made good progress towards their objectives, the teacher will move to the mid-point on the upper pay range; or if already on the mid-point, will move to the top of the upper pay range.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above, the pay committee will use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR. Teaching should be consistently 'outstanding' as defined by Ofsted.

Further information, including sources of evidence is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions.

One application may be submitted annually. The closing date for applications is normally September 1<sup>st</sup> each year (exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave). The process for applications is:

- Submit the aforementioned letter and supporting evidence to the head teacher
- The head teacher will assess the application
- The Governing Body will make the final decision, advised by the head teacher
- Teachers will receive written notification of the outcome of their application by 14<sup>th</sup> November. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria
- If requested, oral feedback will be provided by the head teacher
- Successful applicants will move to UPS 1<sup>st</sup> September 2-16; pay will be backdated
- Unsuccessful applications have the option of appealing the decision. The appeals process is set out in the Pay Policy

### **Leading practitioner roles**

At present the governing body is not intending to implement the lead practitioner role but will review this on an annual basis.

### **Unqualified teachers**

#### **Pay on appointment**

The pay committee will pay any unqualified teacher in accordance with paragraph 17 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter

the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22.

### **Annual pay determination**

In order to progress up the unqualified teacher range, one point annually, unqualified teachers will need to show that they have made good progress towards their objectives.

If the evidence shows that a teacher has exceptional performance, the governing body will award enhanced pay progression of two reference points.

Judgments will only be made on evidence gathered which is related to the appraisal process.

Information on sources of evidence is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

### **Teaching and learning responsibility payments**

The pay committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 46 to 53 of the section three guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 20.4.

The pay committee will ensure that sufficient differential exists between different levels of TLR, taking account of the responsibilities for which the TLR is awarded. All decisions will be objectively justified.

In this school, the different levels of TLRs are in band 2 and are:

- minimum of £2587 and
- maximum is £6322;

The pay committee may award a TLR 3 of between £516 and £4351 for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 20.3. The project/responsibility will be focused on teaching and learning; require the exercise of a teacher's professional skills and judgement and have an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils. The governing body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. If a TLR3 is awarded to a part-time teacher, the pro rata principle will **not** apply. No safeguarding will apply in relation to an award of a TLR3.

### **Special needs allowance**

The pay committee will award an SEN spot value allowance on a range of between £2043 and £4034 to any classroom teacher who meets the criteria as set out in paragraph 21 of the Document.

When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for

the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 21.3 of the Document). The governing body will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The governing body will take account of paragraphs 54 to 58 of the section three guidance.

### **Support staff**

The pay committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the school staffing (England) regulations 2009 and chapter seven of the associated guidance. The pay committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the LA, but will not consider itself bound by that advice. The appeals process is set out in the appendix to this policy.

### **Part-time employees**

**Teachers:** The governing body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraphs 42, 43 and 52.5 onwards, and paragraphs 35, 38-43 and 78-86 of the section three guidance.

**All staff:** The head and governing body will use its best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

### **Teachers employed on a short-notice basis**

Such teachers will be paid in accordance with paragraph 44 of the Document.

### **Additional payments**

In accordance with paragraph 26 of the Document and paragraphs 59-68 of the section three guidance, the relevant body may make payments as they see fit to a teacher in respect of:

- continuing professional development undertaken outside the school day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- participation in out-of-school hours learning activity agreed between the teacher and the head teacher; and
- additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools.

The pay committee will make additional payments to teachers in accordance with the provisions of paragraph 26 where advised by the head.

Payment will be calculated on a daily basis at 1/195<sup>th</sup> of the teacher's actual salary.

### **Recruitment and retention incentive benefits**

The governing body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 27 of the Document and paragraphs 69-71 of the section three guidance).

The pay committee will consider exercising its powers under paragraph 27 of the Document where they consider it is appropriate to do so in order to recruit or retain relevant teachers. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which it may be withdrawn.

The governing body will, nevertheless, conduct an annual formal review of all such awards.

No new awards of recruitment and retention incentive benefits will be made to a head teacher, deputy head teacher, or assistant head teacher with effect from 1 September 2014, other than as reimbursement of reasonably incurred housing or relocation costs. However, where the governing body is already paying such an incentive or benefit, determined under a previous Document, subject to review, it may continue with it, at its existing value, until such time as the leadership group member moves to the new leadership group pay arrangements, as set out in the Document 2014.

At that point, all recruitment and retention considerations in relation to a leadership group member will be taken into account when determining the pay range.

**Salary sacrifice arrangements**

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 72 of the Document.

# Appendices

## Annex A

*The statutory provisions of the school teachers' pay and conditions document 2014 state that when determining the pay range of a leadership group member, the relevant body must take into account of "all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations".*

- Social challenge:
  - Number of pupils eligible for the pupil premium/free school meals,
  - Number and challenge of children with special needs [NB: pupils with statements or education, health and care plans are taken into account when calculating the group size of the school<sup>1</sup>]
  - Number of 'looked after' children
  - Level of pupil mobility in the area
  - Number of pupils with English as a second language
- Complexity of pupil population and school workforce
  - Number of staff
  - Variety of school workforce (e.g. teachers, speech therapists)
  - Small school
  - Rural school
  - Specialist units or centres
- Any specific challenges associated with running more than one school, e.g. managing geographically split sites, particular challenges of the additional school(s)
- Contribution to wider educational development
  - NLE, SLE, LLE responsibilities which are not time-limited
  - Teaching school status
  - Other relevant issues (e.g. NQT lead, multi-stakeholders)
- Recruitment and retention issues

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<sup>1</sup> Paragraph 6.4, section two

## **Annex B**

### **Appeals procedure**

The school teachers' pay and conditions document ('the Document') requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting prior to being submitted to the school's pay committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal appeal hearing procedure. Appeal hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. part four of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS code of practice.

### **Appeal hearing procedure**

It is the intention that the appeals procedure will be dealt with promptly, thoroughly and impartially.

### **Guidance**

- When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider
- Teachers/head teachers should put their appeal in writing to either the head teacher or the governing body; their appeal should include sufficient details of its basis
- Appeals should be heard without unreasonable delay and at an agreed date, time and place
- Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative

### **Appeal procedure steps: informal stage**

As part of the pay determination process, the line manager (the recommendation provider) will make a recommendation to the decision maker (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, the decision maker will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to the decision maker.

If the teacher wishes to appeal the decision, they must do so in writing to the decision maker, normally with 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, the decision maker must then arrange to meet the teacher to discuss the appeal. The recommendation provider should also be invited to the meeting to clarify the basis for the original recommendation.

The decision maker will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher's right of appeal to the governing Body. If the teacher wishes to exercise their right of appeal, they must write to the clerk of the governing body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the formal stage of the appeal procedure.

### **Appeal procedure steps: formal stage**

On receipt of the written appeal, the clerk to the governing body will establish an appeal committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the appeal committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both the recommendation provider and the decision maker will be required to attend the meeting.

The chair of the appeal committee will invite the employee to set out their case. Both the recommendation maker and the decision maker will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the appeal committee will then consider all the evidence in private and reach a decision. The appeal committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the appeal committee is final.

### **The modified procedure**

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school.

Where a teacher has, whilst employed at the school, lodged an appeal against a pay decision but has then subsequently left the school's employment before any appeal hearing is held, the following steps will be observed:

1. The teacher must have set out details of their appeal in writing
2. The teacher must have sent a copy of their appeal to the chair of the governing body
3. The chair of the governing body will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school