

## Policy for Determining School Leadership Pay

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**This Policy has been developed by Shropshire Council and is agreed by the following professional associations and Trade Unions representing Teachers and Headteachers:**

- National Union of Teachers
- Association of Teachers and Lecturers
- Association of School and College Leaders
- National Association of Headteacher's
- National Association of Schoolmasters Union of Women Teachers

## Policy for Determining School Leaders Pay

### 1. INTRODUCTION

This policy sets out the trust's policy for making decisions on school leaders employed on the leadership pay range. It has been developed to comply with current employment legislation and the statutory requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with staff and the recognised trade unions.

The policy covers the pay of school leaders and through it the Board of Directors and Local Governing Bodies will seek to ensure that all staff employed at schools within the trust are valued and receive due recognition for their work and contribution to school life.

Where the Board of Directors has made a decision to vary the Shropshire model policy then this will have followed a process of consultation with staff and representatives in the school.

All pay ranges and values are outlined in Appendix 1.

### 2. AIMS

In adopting this pay policy the aim of the Board of Directors in exercising its responsibility over decisions through this policy are:

- to provide a simple and flexible framework for ensuring the pay for our school leaders is appropriate to the challenge of the post and their contribution to the school(s)
- to maintain and improve the quality of the education provided for pupils
- to maximise the quality of teaching and learning at each school
- to support the recruitment, retention and development of a high quality, motivated teacher workforce
- to enable schools to recognise and reward school leaders appropriately for their contribution
- to help to ensure that decisions on pay are managed in a fair, just and transparent way
- to reflect decisions relating to the curricular and organisational priorities set out in the schools' development/improvement plans (including post Ofsted plans)

- to support the equal opportunities statement adopted by the Board of Directors

This policy reflects that the Board of Directors and Local Governing Bodies must act in accordance with the statutory and contractual obligations placed upon them by the School Staffing (England) Regulations 2009 and all other appropriate legislation and agreements.

This policy will seek to establish an open and transparent framework through which pay decisions for school leaders over which the Board and Local Governing bodies are able to exercise discretion are made.

### **3. EQUALITIES LEGISLATION**

The Board of Directors 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 Board of Directors and Local Governing bodies 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.

### **4. EQUALITIES AND PERFORMANCE RELATED PAY**

The Board of Directors and Local Governing Bodies will ensure that processes are open, transparent and fair. All decisions will be objectively justified. On a case by case basis adjustments will be made to take account of individual/special circumstances, e.g. school leaders absent, on maternity or long-term sick leave.

The Board of Directors will follow the Department for Education advice regarding Equalities considerations as part of the appraisal and pay determination process <https://www.gov.uk/government/publications/reviewing-and-revising-school-teachers-pay>

## **5. SCHOOL STRUCTURES AND STATEMENT OF RELATIVITIES**

The local governing body is responsible for determining its school's staffing structure which will be reviewed annually in the light of the school's budget, pupil number on roll and any curriculum or other organisational requirements.

The school maintains a staffing structure which is clear and transparent and which enables the school to focus on teaching and learning. This should be reflected by:

- A structure chart/plan indicating the number and type of posts (teaching and support) by title and level of responsibility (e.g. leadership group, TLR levels, classroom teaching posts, support staff posts by grade)
- Clearly defined roles reflected in an agreed job description/person specification for each post

Through this pay policy the Board of Directors and Local Governing Bodies will ensure that there is proper pay relativity between leadership posts in schools in order that appropriate differentials are maintained in a coherent and rational structure. Appropriate differentials will recognise accountability and job weight, and the governing body's need to recruit, retain and motivate sufficient quality of school leaders. This responsibility of the local governing body may be delegated to a committee of governors.

## **6. FINANCIAL CONSIDERATIONS AND THE SCHOOL DEVELOPMENT PLAN**

Pay decisions impact on the school and trust's financial resources and have implications for budget planning. In determining its budget plan the local governing body will ensure that account has been taken of the anticipated cost of pay increases under this policy and that appropriate funding is allocated each year. The local governing body will have specific regard to the setting of pay for leadership roles and its potential impact upon the school budget and therefore the pay of all school staff.

The local governing body will ensure that the school's staffing structure reflects its curricular and organisational strategy as set out in the School Development Plan and that decisions on pay arise from consideration of the current and future needs and priorities of the school, are consistent with job descriptions, give proper weight to the work required in the school and are taken within a clear financial context.

The financial consequences of any proposals to increase pay of posts within the trust and schools' staffing structures will be carefully considered by the Local Governing Body and Board of Directors. Consideration of costs will take full account of on-costs for employer national insurance and pension contributions.

## 7. GOVERNORS COMMITTEE ARRANGEMENTS

A decision on the pay of school leaders, as reflected within the school's staffing structure, will be the responsibility of the local governing body or a Committee with delegated responsibility for the setting of the school's staffing establishment and school budget. Decisions relating to the annual pay progression of individual members of the schools leadership team on the leadership pay range will be the responsibility of a "Salaries Committee" of the local governing body delegated with this task. Decisions will be made in accordance with the provisions of this policy. There is opportunity for school leaders to appeal against pay decisions to a separate committee of governors whose members were not party to the original decision.

Where the STPCD requires a pay decision to take into consideration the outcome of the school leaders appraisal other than the Headteacher, a recommendation on pay progression will be received from the Headteacher and taken into consideration.

For the pay progression review of Headteachers the recommendation will be received from the Committee with delegated responsibility for his/her appraisal in conjunction with the Executive Head.

The *salaries committee* will consist of at least three appointed governors, none of whom shall be employed at the school, and will reach decisions within a salaries budget set by the Local Governing Body and having regard to this policy. The full responsibilities and remit of the *salaries committee* are set out in its adopted terms of reference.

The Committee will require clear evidence and documentation to be presented to it on a confidential basis, concerning the position of school leaders, the financial position of the school and the implications of any proposals for pay progression. Decisions will be minuted in clear and objective terms and communicated clearly to affected school leaders.

The Headteacher is entitled to attend meetings of the Committee to offer advice. Any school leader, including the Headteacher, who wishes to appeal against a decision of the *salaries committee*, may do so in accordance with the Appeals procedure.

Salaries committee arrangements and appeal procedures are as set out in the appendix of the teachers' pay policy.

## 8. ANNUAL DETERMINATION OF LEADERSHIP PAY RANGE

The Governing Body will make a decision annually regarding any increase to the leadership pay ranges under this pay policy. Any agreed increase will take effect from 1 September.

### September 2016 pay uplift

- 1 per cent increase to the minimum and maximum of the leadership pay spine and Headteacher group range for this school.
- 1 percent increase to all leadership reference points within the leadership pay range in this school.

## 9. THE PAY OF SCHOOL LEADERS/LEADERSHIP PAY - OVERVIEW

The Leadership Group pay range (see Annex 1) is for school leaders with “substantial strategic responsibilities for school leadership”. Within the Shropshire Gateway Educational Trust the following school leadership posts are paid on the leadership pay range:

- Executive Headteacher
- Headteacher/Principal
- Deputy Headteacher/Vice Principal
- Assistant Headteacher /Vice Principal
- Early Years Manager

These posts are collectively known as the School Leadership Team/Group (SLT/G). The SLT/G and have a substantial role in whole school leadership with a wider perspective and responsibility than a classroom teacher with, for instance, departmental/curriculum/faculty or key stage management responsibility.

The school may have other posts (e.g Associate SLT/G posts, School Business Managers) which are part of the SLT/G but these posts are not paid in accordance with this pay policy.

The Local Governing body will consider annually whether or not to increase the pay range and individual members of the leadership group who have completed a year of employment since the previous annual pay determination. All annual pay

progression decisions will follow an appraisal carried out in accordance with the schools appraisal policy.

The Local Governing body will only review the pay ranges of members of the leadership group when there are significant changes to responsibilities of a leadership post(s). If the responsibilities of a member or members of the leadership group change significantly the Governing Body and/or Board of Directors may review the pay of all leadership posts in order to maintain consistency of pay arrangements of the leadership group.

If such a review leads to a new pay range being determined and the postholder's current salary is less than the minimum of the new pay range the Local Governing Body can move the postholder to the minimum of the new range at an agreed date.

The Local Governing Body will not make any 'honorarium' payments to leaders as these are not part of the STPCD.

## **10. NEW LEADERSHIP APPOINTMENTS**

When the need arises for the Local Governing body to start the process of appointing any new post to the leadership range, the Local Governing Body, in conjunction with the Executive Head, will follow a three-stage process as follows:

Stage 1 – Define the role and determine the Headteacher group

Stage 2 – Set an indicative pay range

Stage 3 – Decide the starting salary and individual pay range

The Local Governing body will take account of the guidance from the Department for Education and its HR provider. Advice received will be considered prior to the appointment of a new Headteacher. (Shropshire Schools HR provide a Headteacher appointment protocol).

Under this policy the Headteacher has the delegated authority to determine the starting salary of a newly appointed teacher to the schools leadership range in accordance with the provisions of this policy. The Headteacher may consult with the "Salaries Committee" as he/she considers is necessary.

When appointing a new Headteacher, the Local Governing Body and Executive Head will ensure that there is appropriate scope within the set pay range to allow for performance related progress over time.

## 11. HEADTEACHER'S SALARY RANGE

For the purpose of determining the Headteacher's pay range, the Local Governing Body and Executive Headteacher will identify the appropriate school group size, calculated in accordance with the STPCD through its Unit total based on pupil numbers.

When the Local Governing Body and Executive Head consider there is a need to review the Headteacher pay range, due to a significant change in responsibility, it must set a Headteacher individual pay range. The Board of Directors will decide, in accordance with the STPCD, if it will set a pay range up to a maximum of 25% above the top of that schools group pay range. The Board of Directors must document and minute the circumstances which warrant the agreed percentage. The starting salary of a new Headteacher is delegated to the appointed selection panel with responsibility for appointing a new Headteacher.

The local governing body and Executive Head will review the school's Headteacher group size annually to ensure it sets the pay range for Headteacher pay in line with the appropriate group size.

The Local Governing Body and Executive Head can at any time re-determine the Headteacher's pay range to reflect a significant change in the responsibilities of the post up to the maximum allowed under the STPCD. The Local Governing Body will clearly document such a decision and the specific circumstances of the significant change to responsibilities applicable.

The Local Governing Body will endeavour to set a Headteacher pay range no more than the maximum of the Headteacher group. However the Board of Directors may determine that circumstances specific to that Headteacher's role warrant a higher than normal payment. In such cases it can set a pay range which does not exceed the maximum of the Headteacher school group by more than 25%. The Board will clearly document such a decision and the specific circumstances applicable.

In exceptional circumstances, the Board may choose to set a pay range above the maximum 25%. In such circumstances it will submit a business case and seek external independence advice as is required by the STPCD.

In setting the Headteacher pay range the Board of Directors and/or Local Governing body will take into account all of the permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including but not limited to the following:

- The context and challenge (including social challenge) arising from pupil needs;
- If there is a high degree of complexity and challenge in the role;
- Permanent additional accountabilities;
- Long term provision of services to other schools (e.g. NLE, SLE, LLE, Teaching School Status);
- Recruitment and retention difficulties;
- the salary ranges of other leadership roles.

When setting the Headteacher pay range, the Board of Directors and/or Local Governing Body will seek appropriate advice to validate its decision.

## **12. DEPUTY HEADTEACHER AND ASSISTANT HEADTEACHER PAY RANGE**

For the purpose of determining the appropriate leadership pay range of Deputy Headteacher's and Assistant Headteacher's the Headteacher and Local Governing Body will take into account all of the permanent responsibilities of the role, any challenges that are specific to the role, how the role fits within the wider leadership structure of the school and any other relevant considerations.

The local governing body should set pay ranges appropriate for the size and structure of the leadership group within the school ensuring appropriate differentials between posts of different responsibility and accountability.

The pay range for deputy Headteacher's and assistant Headteacher's will be no less than the minimum of the leadership pay range and will not exceed the top of the school's Headteacher group. It will only be in exceptional circumstances that the pay range for deputy Headteacher and assistant Headteacher's should overlap the Headteacher pay range.

The local governing body and Headteacher will ensure there is sufficient scope for pay progression when determining the pay range for deputy Headteacher's and assistant Headteacher's.

The local governing body can, at any time, increase the set pay range of a Deputy/Assistant Headteacher. The Board will clearly document such a decision and the specific circumstances of the significant change to responsibilities applicable.

For any deputy head or assistant head, responsibility for the setting and review of performance objectives is delegated to the Headteacher with objectives having to relate to improving the education of pupils at that school and the implementation of any plan of the governing body designed to improve that school's educational provision and performance. Following the review of performance the Headteacher

will have the role of reporting the outcome and any pay progression recommendation to the Committee of Governors responsible for pay progression decisions.

Once ceased, any acting allowance payable will not be eligible for safeguarding.

### **13. PAY PROGRESSION FOR SCHOOL LEADERS**

Pay progression for school leaders will be considered following the annual appraisal process in accordance with the schools appraisal policy.

The appropriate committee with responsibility for reviewing the Headteacher's performance will review the Headteacher's performance, in conjunction with the Trust's Executive Head, at the appraisal against the agreed appraisal objectives. The Headteacher's appraisal objectives will be set in accordance with the trust's appraisal policy and should relate to improving the education of pupils at that school and the implementation of any plan of the local governing body designed to improve that school's educational provision and performance and other areas as determined by the local governing body.

The Headteacher has responsibility for reviewing the performance of Deputy/Assistant Headteacher at the appraisal against the agreed appraisal objectives. Appraisal objectives for Deputy/Assistant Headteacher's will be set in accordance with the schools appraisal policy and should relate to school leadership and management, pupil progress and other areas as determined by the Headteacher and / or local governing body.

Leaders will be eligible for pay progression under this policy where it is determined at the appraisal review that agreed appraisal pay objectives have been fully met or exceeded and that high quality performance has been sustained by the leader.

The Headteacher appraisal is a direct responsibility of the governing body through a Performance Review Committee advised by an appropriate external adviser and the Executive Headteacher. The role of the External Adviser is to advise the Committee on matters relating to performance management and appraisal, not on the matter of the review of pay. The Committee will have also been delegated the responsibility of reviewing the Headteacher's salary.

The Performance Review Committee/Headteacher and Executive Headteacher will ensure that appraisal objectives become progressively more challenging as the school leader gains experience and moves through the pay range. In making a judgement the Performance Review Committee/Headteacher and Executive Headteacher should particularly consider how the post holder has grown professionally, by developing their leadership and, where relevant, teaching expertise and consider the contribution he/she has made to school improvement and pupil progress.

The Local Governing Body/Headteacher and Executive Headteacher will consider other factors as appropriate when making a decision about **sustained high quality performance**, for example their leadership and management of the school, pupil progress, recent Ofsted Judgements and performance in the classroom. Any such factors will be clearly attributable to the performance of the individual and evidenced via the appraisal process.

Recommendations regarding pay progression for Deputy/Assistant Headteacher will be made by the Headteacher with reference to the teachers' appraisal reports and performance overall. A pay progression decision will then be made by the appropriate committee of the governing body.

When the appropriate committee confirm a school leader will be considered for pay progression, it must agree the new salary which the school leader will progress to. This will be backdated to 1 September of the appropriate appraisal year. Any agreed salary decision must be within the pay range set by the Local Governing Body.

Following the annual pay review the school leader will be provided with a written statement confirming the outcome of the review and any pay progression decision.

Any decision related to pay progression will satisfy the principles of consistency, fairness and objectivity.

School leaders eligible for pay progression will normally move to the next available point on the leadership pay range. If a greater salary increase is recommended a clear rationale and justification as to such a decision must be put forward and then considered and the outcome recorded by the appropriate committee. The school leader will then receive appropriate notification in writing.

The Headteacher (or appropriate Committee for Headteacher appraisals) should ensure the appraisal policy is followed regarding appraisal review meetings to ensure school leaders are aware throughout the appraisal cycle of their progress towards all objectives and performance overall.

#### **14. ALLOWANCES FOR SCHOOL LEADERSHIP POSTS**

The Local Governing Body in conjunction with the Executive Headteacher will consider paying additional allowances to Headteachers for clearly time limited temporary responsibilities or duties that are in addition to the post for which their salary has been determined, for example when they:

- Assume temporary responsibility for one or more additional schools
- Agree to provide short term provision of services to another school

The Local Governing Body (or a delegated committee) must agree in advance to any of the above and the amount of allowance which will be payable. Any such payment is included in the overall 25% limit for Headteacher's.

The Local Governing Body will also consider payment of an allowance on the appointment of a new deputy Headteacher or assistant Headteacher who requires assistance with housing or relocation costs. The Local Governing Body would agree an allowance with the new Headteacher as part of the formal offer of employment. Any such payment is excluded in the overall 25% limit for Headteacher's.

Those on the leadership pay range can receive a payment in respect of residential duties which are a requirement of the post. Any such payment will not count towards the overall 25% limit for Headteacher's.

Where the Local Governing body has, prior to 1 September 2014, agreed a recruitment and retention incentive or benefit with a review date, it can continue to be paid at its existing value until the pay range is determined under the new leadership group pay arrangements and this pay policy.

### **Deputy / Assistant Headteacher Acting Up Allowance**

A Deputy Headteacher must undertake the professional duties of the Headteacher if the Headteacher is absent. An Assistant Headteacher can be asked but not required to undertake the professional duties of the Headteacher if the Headteacher is absent.

If a Deputy/Assistant Headteacher acts up in accordance with the STPCD, the Governing Body will decide, within 4 weeks of the Deputy/Assistant Headteacher first day of acting up, what acting allowance will be appropriate. The Deputy/Assistant Headteacher will be paid in accordance with the agreed pay range for the post acting up into.

## **15. 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 STPCD and will give the required notifications as soon as possible and no later than one month after the determination.

## **16. SALARY SACRIFICE ARRANGEMENTS**

Where the employer operates a salary sacrifice arrangement, a Headteacher, deputy/assistant Headteacher may participate in any arrangement and gross salary

shall be reduced accordingly, in accordance with the provisions of the relevant paragraph of the STPCD.

## **17. PAY INCREASES ARISING FROM CHANGES TO THE STPCD**

All those paid on the leadership pay range are paid in accordance with the statutory provisions of the STPCD as updated from time to time.

## **18. MONITORING THE IMPACT OF THE POLICY**

The Board of Directors and Local Governing Bodies will monitor the outcomes and impact of this policy on an annual basis in conjunction with Union representatives, including trends in progression across specific groups of teachers to assess its effect and the schools' continued compliance with equalities legislation.

For this purpose the Headteacher will provide for the Local Governing Body a written annual report for consideration at its autumn term meeting.

The report will not contain any information which would enable any individual to be identified.

The Board of Directors and Local Governing Bodies are committed to ensuring that pay decisions are fair and non-discriminatory and the following monitoring data should be included in the Headteacher's report because they represent the possible grounds for unlawful discrimination:

- Race
- Sex
- Sexual orientation
- Disability
- Religion and belief
- Age
- Part-time contracts
- Trade union membership.

The Headteacher will also report on whether there have been any appeals or representations on an individual or collective basis on the grounds of alleged discrimination under any of the categories above.

## Appendix 1

## School Pay Range for members of the leadership group (1 September 2016)

Leadership Range pay point	Annual Salary £ (1% uplift all points)
L1 (Minimum pay for Deputy/Assistant Headteachers)	38,984
L2	39,960
L3	40,958
L4	41,978
L5	43,023
L6 - Minimum salary for Group 1 headteacher	44,102
L7	45,290
L8 - Minimum salary for Group 2 headteacher	46,335
L9	47,492
L10	48,711
L11 - Minimum salary for Group 3 headteacher	49,976
L12	51,127
L13	52,405
L14 - Minimum salary for Group 4 headteacher	53,712
L15	55,049
L16	56,511
L17	57,810
L18 (Max salary for Group 1 Headteacher)	(58,677)
Minimum salary for Group 5 headteacher	59,264
L19	60,733
L20	62,240
L21 (Max salary for Group 2 Headteacher)	(63,147)
Minimum salary for Group 6 headteacher	63,779
L22	65,363
L23	66,982
L24 (Max salary for Group 3 Headteacher)	(67,963)
Minimum salary for Group 7 headteacher	68,643
L25	70,349
L26	72,089
L27 (Max salary for Group 4 Headteacher)	(73,144)
	73,876
L28 - Minimum salary for Group 8 headteacher	75,708
L29	77,583
L30	79,514
L31 (Max salary for Group 5 Headteacher)	(80,671)
	81,478
L32	83,503
L33	85,579
L34	87,694
L35 (Max salary for Group 6 Headteacher)	(88,984)
	89,874
L36	92,099
L37	94,389
L38	96,724

L39 (Max salary for Group 7 Headteacher)	(98,100) 99,081
L40	101,554
L41	104,091
L42	106,699
L43 (Max salary for Group 8 Headteacher)	(108,283)

## School Headteacher Groups

The Headteacher groups and pay ranges are as follows:

Group	Range of spine points (discretionary)	Broad Salary range £
1	Min or L6-L18	44,102 – 58,677
2	Min or L8-L21	46,335 – 63,147
3	Min or L11-L24	49,976 – 67,963
4	Min or L14-L27	53,712 – 73,144
5	Min or L18-L31	59,264 – 80,671
6	Min or L21-L35	63,779 – 88,984
7	Min or L24-L39	68,643 – 98,100
8	Min or L28-L43	75,708 – 108,283

### Unit totals and Headteacher groups - ordinary schools

An ordinary school shall be assigned to a Headteacher group in accordance with the following table by reference to its total unit score.

Total unit score	School group
Up to 1,000	1
1,001 to 2,200	2
2,201 to 3,500	3
3,501 to 5,000	4
5,001 to 7,500	5
7,501 to 11,000	6
11,001 to 17,000	7
17,001 and over	8

The total unit score shall be determined in accordance with the number of pupils on the school register calculated as follows:

Key Stage	Units per pupil
For each pre-key stage one pupil and each pupil at key stage one or two	7 units
For each pupil at key stage three	9 units
For each pupil at key stage four	11 units
For each pupil at key stage five	13 units

The weightings should be halved for pupils who attend on no more than a half day basis. Pupils with statements of special needs in special classes or units attract an automatic extra weighting of 3 units; other pupils with statements may be allocated an extra 3 units at the discretion of the governing body.