



# Teaching Staff Pay Policy

Longhill High School's policy is based on Brighton and Hove's 'Model Appraisal Policy for Schools' which was created with unions.

Lead Author: Rachel Congreve

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**APPENDIX 1 - REMIT FOR THE PAY COMMITTEE OF THE GOVERNING BODY**

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**APPENDIX 3 - TEACHER PAY RANGES and LEADERSHIP PAY**

## **Section A: Non teaching staff's pay and conditions**

School support staff pay is determined by the NJC for local government and Brighton & Hove City Council policies. The governing body will ensure that the salaries/payments made to support staff are in accordance with nationally or locally agreed conditions of service. Reference will be made to Brighton & Hove policies and procedures regarding grading, job evaluation, incrementation, payments for additional duties, honoraria, pay protection and pay disputes. See National Joint Council's 'Terms and Conditions of Employment' (more commonly known as the Green Book).

## **Section B: Teaching Staff**

### **Background and Introduction**

Note that this school's pay policy is modelled on Brighton & Hove's pay policy for schools.

## **1. INTRODUCTION AND AIMS**

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with staff and the recognised trade unions.

In adopting this Pay Policy the aim is to:

- *maximise the quality of teaching and learning at the school*
- *support the recruitment and retention of a high quality teacher workforce*
- *enable the school to recognise and reward teachers appropriately for their contribution to the school*
- *help to ensure that decisions on pay are managed in a fair, just and transparent way.*

Pay decisions at this school are made by the governing body.

*Pay decisions at this school are made by the 'governing body' which has delegated certain responsibilities and decision making powers to the 'pay committee' as set out in Appendix 1. The pay committee shall be responsible for the establishment and review of the Pay Policy, subject to the approval of the governing body, and shall have full authority to take pay decisions on behalf of the governing body in accordance with this policy. The headteacher/principal shall be responsible for advising the pay committee on its decisions.*

## **2. PAY REVIEWS**

The governing body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year (heads by 31 December), and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required notification as soon as possible and no later than one month after the date of the determination (see also The Document Para 33). The Appeals Procedure is available at Appendix 2.

## **3. BASIC PAY DETERMINATION ON APPOINTMENT**

The governing body will determine the pay range for a vacancy prior to advertising it. The school will not restrict the pay available for appointees to vacant classroom posts, other than the lower limit of the Main Pay Range and the upper limit of the Upper Pay Range. See Section 8 for Leadership Pay determination.

On appointment it will determine the starting salary within that range to be offered to the successful candidate.

In making such determinations, the governing body may take into account a range of factors, including:

- the nature of the post;
- the level of qualifications, skills and experience required;
- market conditions;
- the wider school context.

Note that these options are for guidance only, are not intended to provide an exhaustive list, and may not apply to all appointments.

In accordance with Brighton & Hove guidelines, when determining the salary for a newly appointed classroom teacher, the governing body will pay the teacher at a scale point which at least maintains the teacher's previous pay entitlement. This is dependent on the teacher producing evidence from the previous school/s to support this decision.

Appendix 3 & 4 detail the different pay ranges for the following groups of teachers as follows:

- Main Pay Range
- Upper Pay Range
- Leading Practitioner Pay Range
- Leadership Pay Range
- Unqualified Pay Range

#### **4. PAY PROGRESSION BASED ON PERFORMANCE**

To confirm: changes in the 2013 Document mean that as from September 2014 previous 'automatic annual increments' are all now be linked to assessments of performance.

##### **4a) Link to School's Appraisal Policy and decision making**

In this school all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. See the school's Appraisal Policy for more information about appraisal arrangements.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports including evidence with regards to having met targets. In the case of ECTs, whose appraisal arrangements are different, pay decisions will be made taking note of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

Teachers' appraisal reports will contain evidence which can contribute towards pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the governing body, having regard to the appraisal report and taking into account advice from the senior leadership team. The governing body will consider its approach in the light of the school's budget and ensure that appropriate funding is allocated

for pay progression at all levels. The governing body will make pay decisions according to the criteria set out below.

#### **4b) Evidence, consistency and fairness of assessment of performance**

Longhill High School will ensure fairness and consistency by the following:

- Having very clear performance criteria that link to pay progression. These are very well understood by both teachers and their appraisers. Criteria will be such that teachers will be able to tell their appraiser, how they have performed;
- The information used for appraisal will be objective and evidence-based;
- Core objectives will be agreed by the school's leadership team in consultation with teachers to ensure they are at a consistent and comparable level. To gain consistency, two appraisal targets will link to the whole school priorities and one will be a CPD based target;
- For main scale teachers, there will normally be no more than 3 appraisal targets, any more will be agreed with the individual teacher;
- Appraisal targets will reflect different roles and responsibilities in the organisation. Where objectives are differentiated in scope or complexity to reflect different levels of experience and seniority, these will be agreed with the teacher;
- Teachers will have the opportunity to identify the support they may need to achieve the appraisal targets. This will be reviewed and amended accordingly to minimise the likelihood that objectives are not met;
- Appraisers have all received relevant up to date training;
- We have a clear appeals process. Governors on the pay appeals panel have all received appropriate training in the new system.

The evidence we will use in assessing performance against the appraisal targets will be:

- As mentioned above, data which captures students' progress over time. This will be both work in books/assessments over the year and students' tracking data and GCSE outcomes;
- Quality of teaching and learning taking account of a range of evidence across the year including work scrutiny and drop-in feedback from Heads of Faculty or/and Senior Leaders;
- For the last CPD target, the appraiser and appraisee will agree what the performance criteria looks like for this target to be achieved.

*It is acknowledged that teaching is a highly complex and dynamic process. There are situations and factors beyond a teacher's control that make exact assessment difficult and can adversely affect the achievement of appraisal objectives. Appraisers should refer to the 'Supplementary Guidance for the Assessment of Teachers' for further information on factors that may affect a teacher's performance parts of this are on the front sheet of the Appraisal Form 2017-18 for more information about this.*

#### **4c) Eligibility for Pay Progression - Classroom Teachers**

In this school, judgements of performance will be made against the Teacher Standards and Appraisal Objectives using evidence shown above under 4b).

While Ofsted criteria and framework are important documents in reviewing the performance of a school and formulating objectives, these should not be used exclusively to measure individual performance directly.

Teachers will be eligible for pay progression on the Main Pay Range following a successful performance management/appraisal review. Teachers will normally be expected to have been alerted in writing during the course of the year if there are concerns about performance which may impact on their progression in order that they have an opportunity to address such issues and secure pay progression.

Teacher performance will be judged according to the criteria set. If overall performance falls short of the standards required, pay progression may be withheld. In exceptional cases, an accelerated increment may be considered (although only where this would not lead to budgetary decisions to deny other teachers progression).

See the Supplementary Guidance for Appraisers of Teachers in BHCC Document for the Teaching Standards Framework Exemplar within the same document.

#### **Classroom teachers - ECTs**

Newly qualified classroom teachers will be awarded pay progression following evidence of successfully meeting the teaching standards.

#### **Classroom teachers on the Upper Pay Range**

Classroom teachers will be awarded pay progression on the Upper Pay Range if they meet the required performance standards and express an interest in moving onto the Upper Pay Scale. In exceptional circumstances enhanced progression (by two increments) may be considered (or annual progression through the range).

#### **Unqualified classroom teachers**

Unqualified classroom teachers will be awarded pay progression on their pay scales if they meet the required performance standards and following each successful appraisal review.

### **5. MOVEMENT TO THE UPPER PAY RANGE**

#### **5a) Applications and Evidence**

Teachers who apply to move to the Upper Pay Range (usually from Point 6 of the Main Pay Range) must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

For consideration to move to the Upper Pay Range, teachers need to have met their appraisal targets as well as the teacher standards. Teachers will have been alerted in writing

if there are concerns about performance which may impact on their progression in order that they have an opportunity to address such issues and secure pay progression.

Teachers should indicate their intention to progress onto the Upper Pay Scale when they are eligible by emailing the Headteacher or the Deputy Head in charge of appraisals. The Deputy Head in charge of appraisals will email eligible teachers to remind them of this.

The Supplementary Guidance document provides outline examples to ensure that teachers who have had breaks in service are treated equitably.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the Upper Pay Range in that school or schools. This school will not be bound by any pay decision made by another school.

### **5b) The Assessment Once on the Upper Pay Scale.**

Once on the UPS scale, the below needs to be met to keep on this and progress on this:

- (a) the teacher is highly competent in all elements of the relevant standards; and
- (b) the teacher's achievements and contribution to the school are substantial and sustained.

Eligibility information will be drawn from the teacher's previous appraisal documentation from the last two years. Teachers will need to demonstrate that they are highly competent practitioners and have made a sustained and substantial contribution. The appraisal targets set out clearly what the substantial contribution UPS teachers need to undertake and if these are met, then progression upwards.

### **5c) Processes and procedures**

The assessment will be made the conclusion of the appraisal process.

If successful, applicants will move to the Upper Pay Range from 1 September of the academic year following the application and will be placed on point 1 of that pay scale.

If unsuccessful, feedback will be provided by the Headteacher as soon as possible and at least within 10 working days of the decision; and will cover the reasons for the decision and the appeals arrangements available to the teacher.

Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard under the school's general pay appeals arrangements (see Appendix 2).

## **6. PART-TIME AND SHORT NOTICE/SUPPLY TEACHERS**

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time. The governing body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an



equivalent post. The salary and any allowances, except for TLR3s, of a part-time teacher must be determined in accordance with the 'pro rata' principle (para 42). Any additional hours worked by agreement from time to time will be paid at the same rate.

## **7. PAY INCREASES (Uplifts rather than awards)**

Awaiting confirmation from Brighton and Hove – this section will be updated with an appendix with the National pay increases.

## **8. LEADERSHIP PAY**

### **Headteacher/Deputy & Assistant's Pay range and Performance pay**

The pay of teachers on the leadership scale need only be reviewed when there are significant changes to responsibilities (see Appendix 3 for further explanation on school group sizes/ head pay ranges etc.).

#### **8a) Determination of the Leadership Pay Range**

New Appointments (or \*re-determination of post resulting from significant changes in responsibilities)

##### **Stage 1 - Defining the role and identifying the broad pay range**

The governing body will assign its school to a headteacher group which will determine the appropriate broad pay range. This should be done by calculating the total unit score for the school in accordance with the STPCD paras 5 – 8 (information on group sizes for B&H schools may also be obtained from the Schools' Finance team). The total unit score should include, where appropriate, permanent responsibility for additional schools.

For other leadership group posts the governing body will consider how the role fits with the leadership structure. The pay range for a deputy or assistant head will only overlap the HT pay range in exceptional circumstances.

See leadership scale and reference points in Appendix 3 and further guidance in Appendix 3.

##### **Stage 2 – Setting the indicative pay range**

At this stage the governing body will consider whether the indicative pay range starts at the bottom of the Headteacher group or further up due to the level of challenge. Consideration of the complexity and challenge of the role in the particular context of the school will be made at this point. Discretionary payments such as allowances for recruitment and retention, permanent additional responsibilities (e.g. the provisions of initial teacher training and long term provision to other schools) will be included in the consideration dictating where within the group the pay range should be set.

N.B. BHCC is retaining the existing 7 point scales for Headteachers within the Headteacher groups, along with the deputy/assistant head 5 point ranges as recommended pay ranges for schools in BHCC (see Appendix 3).

Normally, all of the above will be included in the consideration of the total unit score (group score), however there may be circumstances in which additional factors suggest the indicative pay range should be higher than the basic calculation in stage one. These include the context and challenge from pupil needs; a high degree of complexity and challenge e.g. accountability for multiple schools; additional accountability not reflected in stage 1 e.g. leading a teaching school alliance; or additional factors (see STPCD Section 3 Guidance paras 8 - 28 for further information).

If exceptional circumstances apply the governing body may pay up to a maximum of 25% above the top of the Headteacher group range. In these exceptional circumstances, external BHCC HR advice is taken on this and a business case should be made. There should be a clear audit trail and a full and accurate record of all decisions made and the reasoning behind them. There will be no facility within this flexibility to use this freedom to uplift salaries which have been frozen under the document (unless there is a genuine significant change to responsibilities).

It would be wholly exceptional for the maximum of the pay range to be more than an additional 25% higher than the maximum of the Headteacher group. If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required plus external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case. In any such cases advice will be taken from the LA in the first instance. There will be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

### **Stage 3 Deciding the starting salary and individual pay range**

The starting salary for the preferred candidate will be determined in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. However there will be scope for performance related progression over time within the range.

The maximum of the deputy or assistant Headteacher's pay range will not exceed the maximum of the Headteacher group for the school. The pay range for a deputy or assistant Headteacher will only overlap the Headteacher's pay range in exceptional circumstances. *See Appendix 3 for more details on leadership pay.*

### **8b) Determination of temporary payments to Headteachers**

The new approach to setting pay for headteachers will make additional payment by means of allowances largely unnecessary. Exceptions are time-limited temporary responsibilities and time limited housing/relocation costs (the STPCD Para 10.1-4).

The governing body may determine that additional payments be made to a Headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. In each case, the relevant body must not have previously taken such reason or circumstance into account when determining the Headteacher's pay range.

Temporary payments made to a Headteacher in accordance with the above must be included in the maximum salary payable to a Headteacher in any one year within the Headteacher pay

range (i.e. they must not exceed 25% above the maximum of the Headteacher group for their school).

The temporary discretionary pay above does not apply to additional payments made:

- where those residential duties are a requirement of the post (para 25); or
- to the extent that the payment is in respect of relocation expenses which relate solely to the personal circumstances of that Headteacher (para 27).

Further details on determining pay for a Headteacher responsible for more than one school on a temporary basis or where there is accountability for extended services are given under the STPCD Section 3 Guidance Paras. 11 - 23.

Prior to agreeing to any provision of services by the Headteacher in any other schools the governing body should refer to the STPCD Section 3 Guidance (Paras. 65-68) which provides details on the 'Operating Principles' for Headteachers providing services to other schools. The governing body will take advice from the Schools' HR service in these cases.

### **8c Fixed term contracts and pay**

The governing body may appoint a Headteacher on a fixed-term contract where it determines that the circumstances of the school require it. In establishing such a contract, the governing body will consider how reward should be structured and whether achievement of objectives should be assessed over a shorter or longer timescale than would normally be the case.

### **8d Pay progression for leadership group members**

The governing body will consider annually whether or not to increase the salary of members of the leadership group (namely Headteachers, deputy Headteachers and assistant Headteachers) who have completed a year of employment since the previous pay determination and, if so, to what salary within the relevant pay range (STPCD Section 2 Para 11).

The governing body will decide how pay progression will be determined, subject to the following:

- (a) the decision whether or not to award pay progression must be related to the individual's performance, as assessed through the school's appraisal arrangements in accordance with the 2012 regulations in England (or the 2011 regulations in Wales);
- (b) a recommendation on pay must be made in writing as part of the individual's appraisal report, and the governing body must have regard to this recommendation;
- (c) where the individual is not subject to either the 2012 or the 2011 regulations, in order to reach a decision whether or not to award pay progression the relevant body must seek to agree objectives with the individual relating to school leadership and management and pupil progress and, in the absence of such agreement, must set such objectives, and must appraise the performance of the individual taking account of those objectives;
- (d) pay decisions must be clearly attributable to the performance of the individual;

- (e) sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the 2012 or the 2011 regulations or the objectives agreed or set under paragraph 11.2(c) (as the case may be) should give the individual an expectation of progression up the pay range;
- (f) where in accordance with the provisions of an earlier Document the governing body has determined a pay range the maximum of which exceeds the highest salary payable under this Document it must continue to pay any salary determined by reference to that pay range until such time as it reassesses the pay range for its leadership posts under the provisions of this Document;
- g) The governing body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels. The governing body recognises that funding cannot be used as a criterion to determine progression.

Annual pay progression within the range for this post is not automatic. In normal circumstances the governing body will consider whether to award one or two pay progression points and will make the circumstances clear when either one or two points might be awarded at the start of the appraisal process.

The governing body has the power to award further increments but this would happen only in exceptional circumstances. External advice and a full audit trail of the reasoning will be maintained in these circumstances.

## 9. ALLOWANCES

### a. Teaching and Learning Responsibility Payments (TLRs)

The governing body may award a TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of their staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable. The award may be while a teacher remains in the same post or occupies another post in the absence of a post-holder. Where a TLR1/2 is awarded to a part-time teacher it must be paid on a pro-rata basis.

The governing body (from 2013) may award a fixed-term third **TLR (TLR3)** to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The duration of the fixed term will be established at the outset and payment should be made on a monthly basis for the duration of the fixed term. Where a TLR3 is awarded to a part-time teacher it need not be paid on a pro-rata basis. TLR3s are not subject to safeguarding. Although a teacher cannot hold a TLR1 and TLR2 concurrently, a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

The governing body pays TLR 1 and 2 payments to teachers as indicated in the attached staffing structure, in accordance with the pay ranges specified in the 2014 STPCD as updated from time to time and the following levels and values will apply as set out in appendix 3.

The relevant body should ensure there are sensible differentials between TLR payments in order to reflect differences in job weight between different TLR roles. Although it is no longer a requirement (since 2014), BHCC recommends that governing bodies maintain the minimum differential of £1500 between each award of a TLR 1 or TLR2 and the governing body will consider this advice.

The criteria for the award of TLR 1 and 2 payments are as follows:  
Before awarding any TLR 1 or 2 payment, the governing body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- a. is focused on teaching and learning;
- b. requires the exercise of a teacher's professional skills and judgement;
- c. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e. involves leading, developing and enhancing the teaching practice of other staff.

In addition, before awarding a TLR1 payment, the governing body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people.

Teachers will not be required to undertake permanent additional responsibilities without payment of an appropriate permanent TLR1 or TLR2 payment.

Before making any TLR3 payment, the governing body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time limited school improvement projects or externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

Where the governing body wishes to make TLR3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly and subject to consultation with union representatives.

The governing body will ensure that the use of TLR3 applies only to clearly time limited school improvement projects or one-off externally driven responsibilities and where there is a genuine development or operational need. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

## **9b. Special Educational Needs Allowances**

### **Introduction**

The STP&CD 2010 replaced the previous system of two separate and defined SEN allowances, SEN1 and SEN2, with a new SEN pay range allowing spot value allowances. Governing bodies have the facility to set up between one and three additional points between the minimum and maximum point if needed (subject to discussion/agreement with HR). These would be spot ranges so incremental progression does not apply.

### **9bi) Value**

A SEN allowance of no less than £2,270 and no more than £4,116 per annum is payable to a classroom teacher in accordance with paragraph 21 of the Document and summarised below in this Pay Policy under this section 9b).

### **9bii) Eligibility**

The governing body must award a SEN allowance to a classroom teacher:

- (a) in any SEN post that requires a mandatory SEN qualification;
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school (or, in the case of an unattached teacher, in a local authority unit or service);
- (d) in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post –
  - (i) involves a substantial element of working directly with children with special educational needs;
  - (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
  - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

### **9biii) Allocation of spot value**

Where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors:

- (a) whether any mandatory qualifications are required for the post;
- (b) the qualifications or expertise of the teacher relevant to the post; and
- (c) the relative demands of the post.

### **9biv) Objective justification for ranges used in school**

Teachers will be rewarded a SEN allowance if they are employed in the School's Special Facility, or alternatively they have a special needs qualification.

SEN allowances may be held at the same time as TLRs. However, governing bodies, when reviewing their staffing structures/keeping them under review, should:

- ensure that, holders of discretionary SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;
- consider whether, if teachers have responsibilities that meet the principles for the award of TLR payments it would not be more appropriate to award a TLR payment instead of a discretionary SEN allowance of a lower value;
- not continue to award new SEN payments solely for the purposes of recruitment and retention; and
- ensure that any SEN responsibilities are clearly specified in individual teachers' job descriptions.

Where the criteria for the payment of an SEN allowance are met, the relevant body must award an allowance and the teacher's written notification given at the time of the award should specify the amount and the reason for the award.

### **Assessment of appropriate allowance values**

The Pay Policy should set out the basis for rational, transparent and fair decisions on levels of payment for SEN allowances. This will reflect the school's organisation of or provision for SEN (or, for unattached teachers employed in the local authority's central services, the organisation of provision in the particular service).

In establishing appropriate values for their SEN allowances, schools should ensure that they have considered the full range of payments available and that the values chosen are properly positioned between the minimum and maximum established in the national framework. For example, a teacher who is teaching a special class for which a mandatory qualification is required and who has considerable relevant experience (and who is therefore seen as one of the school's leading professionals in this area) would be more likely to be paid towards the top end of the national range. Differential values relating to SEN roles in the school should be established to properly reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

Schools should take account of the way in which SEN provision is organised and delivered locally and may want to consult the local authority for advice on establishing appropriate payments.

### **9c) Acting Allowance**

Where any teacher is required to act as headteacher, deputy headteacher or

assistant headteacher for a period in excess of four weeks, s/he will receive an additional allowance in order that the total pay received is not lower than the minimum of the range of the substantive post holder. Payments will be backdated to the day on which the teacher assumed those duties.

Performance Payments to Seconded Teachers where:

- (a) a teacher is temporarily seconded to a post as headteacher in a school causing concern which is not the teacher's normal place of work; and
- (b) the governing body of that school considers that the teacher merits additional payment to reflect the sustained high quality of performance throughout the secondment, the relevant body may pay the teacher a lump sum accordingly. The total value of the additional payment and any annual salary paid to the teacher during the secondment must not exceed 25% above the maximum of the headteacher group for the school to which the teacher is seconded.
- c) See STPCD Section 3 [Guidance paras](#) 65 – 68 for information on payment recognition for services to other schools and the type of agreement that should be set up prior to undertaking this work.

See also Para 8b) of this policy above .The school will obtain further advice on acting up arrangements in specific circumstances from HR.

## **10. ADDITIONAL PAYMENTS**

The governing body may make such additional payments as they see fit to a teacher, including a headteacher\*, in respect of the below (normally this section will not apply to *headteachers*). Any CPD, ITT and Out-of-School Learning Activity and associated payments (see below) should be discussed and agreed between the teacher and the headteacher (or the governing body in the case of the headteacher) before the activity takes place.

### **10a. Continuing Professional Development**

Where possible and where relevant, staff will be supported in undertaking training that develops their skills and knowledge for their post. This could include paying for training, transport to training venues etc.

### **10b. Initial Teacher Training (ITT) activities**

Except for those employed as leading practitioners who may be required to carry out this duty, teachers who undertake activities relating to the provision of initial teacher training as part of the ordinary conduct of the school on a voluntary basis will be entitled to a payment of 50% of the university funding forwarded to the school if they are not given time in their timetable to compensate for this.



### **10c. Out-of-School Learning Activities**

Teachers who participate in out-of-school hours learning activity agreed between the teacher and the headteacher (or in the case of the headteacher, between the headteacher and the governing body) and whose salary range does not take account of such activity, will be entitled to a payment of based on their teaching scale day rate. Those on Leadership Scale will revert to the UPS3 day rate. The day rate is calculated by dividing the salary by 195.

Activities that will attract payment include:

- Summer schools;
- Holiday revision sessions;
- INSET days when not contracted to attend.

### **10d Recruitment and retention incentives and benefits**

Where applicable, the school will recruit new staff by giving them a point on the teaching scale that reflects any additional career experience, excellence or mastery that means they have additional contributions to make – this will not usually be above two points on where they should be on the scale according to years of teaching.

Where possible, the school will support the career progression of existing staff to develop the knowledge, skills and experience to successfully apply for different posts e.g. apprenticeship scheme.

The governing body will review the level of payment/benefits annually.

### **10e) Salary Sacrifice**

Salary sacrifice means any arrangement under which the teacher gives up the right to receive part of the teacher's gross salary in return for the employer's agreement to provide a benefit-in-kind under any of the following schemes:

- (a) a child care voucher or other child care benefit scheme;
- (b) a cycle or cyclist's safety equipment scheme; or
- (c) a mobile telephone scheme; and
- d) that benefit-in-kind is exempt from income tax<sup>(1)</sup>.

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<sup>(1)</sup> *The Income Tax (Earning and Pensions) Act 2003 (2003 c. 1) provides that no liability to income tax arises in respect of the provision for an employee of any of these benefits-in-kind, where the specified conditions are met.*

Where the employer operates a salary sacrifice arrangement, the teacher may choose to participate in any such arrangement and the teacher's gross salary may be reduced accordingly for the duration of such participation.

Participation in any salary sacrifice arrangement has no effect upon the determination of any safeguarded sum to which the teacher may be entitled under any provision of this Document.

#### **10f). Honoraria**

The governing body **will not pay any** honoraria to any member of the teaching staff for carrying out their professional duties as a teacher, recognising that there is no provision within the 2016 STPCD for the payment of bonuses or honoraria in any circumstances. Any such award to a teacher for their teaching work would be unlawful.

\*N.B. Any payment to a headteacher under this 'Additional Payments' heading is subject to the overall limit on discretionary payments at para 10.2.

## **11. SAFEGUARDING**

The governing body will operate salary safeguarding arrangements in line with the provisions of the STPCD Section 2 Part 5 Paras 31-39.

This covers:

- General circumstances in which safeguarding applies
- Entitlement to a safeguarded sum
- Notification of safeguarding
- The safeguarding period
- Calculating relevant dates
- Suspension and partial reduction of the safeguarding sum
- Additional duties
- Miscellaneous
- 'Other' safeguarding.

## **12. UNQUALIFIED TEACHERS**

### **i) Unqualified Scale**

The governing body will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale (see Appendix 3) when they are appointed, taking account of any relevant qualifications and experience. Unqualified teachers will normally be appointed to the minimum point unless the relevant body determines that they have other relevant experience in which a discretionary point or points may be awarded.

### **ii) An unqualified teacher who becomes qualified**

Upon obtaining qualified teacher status (QTS) under regulations made under section 132 of the Act<sup>(2)</sup> an unqualified teacher must be transferred to a salary within the main pay range for teachers. Where the teacher continues to be employed by the same school within which they were employed before they obtained QTS the teacher must be paid a salary which is the same as or higher than the unqualified teacher pay range and any unqualified teacher allowance (including any safeguarded sum), as the relevant body considers to be appropriate.

A teacher who obtains QTS retrospectively under those regulations must be paid a lump sum by the relevant body responsible for the payment of remuneration at the time when QTS was effectively obtained.

The lump sum payable as above must be the difference (if any) between the remuneration the teacher was actually paid as an unqualified teacher and the salary (not including any allowances) the teacher would have been paid as a qualified teacher, from the date QTS was effectively obtained to the date when the lump sum is paid.

### **iii) Unqualified teachers' allowance**

The governing body may determine that such additional allowance as it considers appropriate is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy that the teacher has:

Taken on a sustained additional responsibility which:-

- Is focused on teaching and learning and requires the exercise of a teacher's professional skills and judgement or;
- Qualifications or experience which bring added value to the role being undertaken.
- The governing body will pay an unqualified teacher on one of the employment based routes into teaching on the qualified/unqualified teachers' scale.
- The school will seek advice from HR regarding employing unqualified, overseas teachers in relation to time limits that may be applicable to continuing employment.

## **13. APPEALS**

The arrangements for considering appeals on pay determination are set out in Appendix 2 of this policy.

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<sup>(2)</sup> S.I. 2003/1662 in relation to England and S.I. 2012/724 in relation to Wales.

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

The governing body will monitor the outcomes and impact of this policy on a regular (annual) basis including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation. This will be shared with union representatives.

**Other documents referred to:**

Appraisal Policy 2022-23.

School Teachers' Pay and Conditions, Dfe.

National Joint Council's 'Terms and Conditions of Employment' (more commonly known as the Green Book).

### REMIT FOR THE PAY COMMITTEE OF THE GOVERNING BODY

The Pay Committee will comprise at least three governors. All governors, including those employed at the school, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions (including those relating to individuals) where their interest is no greater than that of the generality of employees at the school.

#### **Establishment of the policy**

The Pay Committee is responsible for:

- establishing the policy, in consultation with the headteacher, staff and trade union representatives, and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- formal approval of the policy.

#### **Monitoring and review of the policy**

The Pay Committee is responsible for:

- reviewing the policy annually, in consultation with the headteacher, staff and trade union representatives; and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy;

#### **Application of the policy**

The head teacher is responsible for:

- ensuring that pay recommendations for the deputy and assistant head teacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

- taking decisions regarding the pay of the deputy and assistant headteacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the headteacher;
- taking decisions regarding the pay of the head teacher following consideration of the recommendations of the governors responsible for the headteacher's performance review;
- submitting reports of these decisions to the Governing Body; and
- ensuring that the head teacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.

The Appeals Committee of the Governing Body is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

### APPEALS AGAINST PAY DECISIONS (for teaching staff)

It is for the governing body of a school/college to determine the duties to be carried out by each post holder. For teachers this will be subject to the provisions of the School Teachers Pay and Conditions document.

The arrangements for considering appeals are as follows:

A member of staff may seek a review of any determination in relation to his/her pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects his/her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination:

That the person or committee by whom the decision was made –

- a) Incorrectly applied any provision of the School Teachers Pay and Conditions Document;
- b) Failed to have proper regard for statutory guidance;
- c) Failed to take proper account of relevant evidence;
- d) Took account of irrelevant or inaccurate evidence;
- e) Was biased; or
- f) Otherwise unlawfully discriminated against the member of staff.

The order of proceedings is as follows:

The member of staff receives written confirmation of the pay determination and where applicable the basis on which the decision was made including their right of appeal.

### STAGE ONE

If the member of staff is not satisfied with their written notification of pay determination he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision. This is the informal stage for the purposes of this procedure known as **Stage One**.

N.B. In relation to the appraisal/performance management process for teaching staff, if a teacher feels their pay progression has been unfairly affected and/or discussions have already taken place with the 'appraisal/performance management reviewer' regarding any pay determination decision they should move to Stage Two of this procedure.

Where the member of staff continues to be dissatisfied, he/she may follow a formal appeal process (see Stage Two and Three of this procedure).

## **STAGE TWO**

The member of staff should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.

The committee or person (most often the headteacher) who made the determination should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the member of staff an opportunity to make representations in person. This is known as **Stage Two** of the Procedure. If it is possible to use an alternative decision-maker/committee to that providing the original decision this would be best practice (see footnote below\* under 'General Principles').

The formal hearing should allow both parties to state their case. Following the hearing, where circumstances allow the employee should be informed of the decision orally (after an adjournment) and the decision and right to appeal should be confirmed in writing within three days. Any appeal must be made in writing to the Clerk to Governors within ten days of the written decision.

Please note that for any formal hearing or appeal the member of staff is entitled to be accompanied by a colleague or union representative (both the hearing and the appeal in stages two and three apply). The headteacher (or other person/committee hearing the appeal) may be advised at the meeting by a senior colleague in the school/college or by an officer of the LA.

## **STAGE THREE**

Any appeal should be heard by a panel of three governors who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification. This is **Stage Three** of the procedure. The employee and the headteacher/principal shall exchange statements to be considered at the appeal hearing seven working days before the notified date of the appeal hearing. Neither party shall be entitled to see a copy of the written statement by the other party before the preparation of their own. The statements prepared by both parties shall be sent to the members of the panel of governors authorised to hear appeals at least five working days prior to the hearing. The headteacher/principal may arrange for a representative to present the case on his/her behalf and the headteacher/principal (or representative) may be assisted in the presentation.

The procedure to be followed by the panel during the appeal hearing shall be as follows:

- i) The employee (or his/her representative) to put his/her case in the presence of the headteacher and to call such witnesses as he/she wishes.



- ii) The headteacher to have the opportunity to ask questions of the employee (or his/her representative) on the evidence given by him/her and any witnesses.
- iii) The appeals committee to have the opportunity to ask questions of the employee (or his/her representative) and his/her witnesses.
- iv) The headteacher to present the case in response to the employee's representations calling such witnesses as he/she wishes.
- iii) The employee (or his/her representative) to have the opportunity to ask questions of the headteacher on the evidence given by him/her and any witnesses.
- vi) The appeals committee to have the opportunity to ask questions of the headteacher and witnesses.
- vii) The headteacher/principal to have the opportunity to sum up his/her case.
- viii) The employee (or his/her representative) then to have the opportunity of summing up his/her case if they so wish.
- ix) The employee and head teacher and any witnesses to withdraw.
- x) The appeals panel (with any adviser) to deliberate in private only recalling the parties where there are particular points of uncertainty on the evidence already given. If recall is necessary, both parties are to return notwithstanding only one is concerned with the point giving rise to doubt.

**The appeals panel is authorised to:**

- a) Reject the appeal and confirm that the pay determination is correct  
OR  
Ask the headteacher/principal to implement the pay progression originally denied  
OR
- b) Agree that the overall range of duties and level of responsibility undertaken by the postholder is above that which could reasonably be expected of an employee at his/her salary level;
  - i) In the case of teaching staff, upgrade the post to the level (within the job range) they consider appropriate where it is determined that the work undertaken will continue to be expected of the postholder
  - ii) Alternatively, ask the headteacher/principal in consultation with the employee concerned to make minor adjustments to the job description ensuring that the overall range of duties and level of responsibilities is consistent with the existing grade for the post.

The decision of the appeals panel will be notified to the employee and his/her

representative at the meeting and confirmed in writing within five working days of the meeting. Where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

The decision of the appeals panel shall be final. There is no further right of appeal within the school or the LA but the employee's right to any statutory recourse would remain.

**General principles:**

- Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable. The time limits referred to in this procedure may be modified by mutual agreement. The time limits referred to are working days; i.e. Monday to Friday and do not include Saturdays, Sundays or school/college holidays.
- These arrangements are separate from other grievances and are not to be dealt with under the grievance procedure.

**\* Footnote from Stage Two:**

*As an example, a Performance Management/Appraisal Reviewer in a secondary school may have made the decision not to recommend moving through the threshold and a discussion may have taken place at the informal stage 1. In this case it would be likely that the head hears the formal hearing and the panel of governors hears the appeal. In a Primary school the headteacher may have been the reviewer so may wish to use one panel of governors to undertake the first hearing (Stage 2) and a second to hear the appeal (Stage 3).*

**Guidance/notes**

*Take advice from HR on the process to be followed in each case (also making reference to the School Appraisal Policy).*

**Appendix 3: NOTE these are being disputed by Unions and are the National pay awards:**

**Pay Range for Qualified Teachers 2021 and 2022 - draft**

<b>Main Pay Range</b>	<b>1/9/2021</b>	<b>1/9/2022</b>	<b>Change (%) from 2021</b>
<b>M1 £25,714</b>	<b>£28,000</b>	<b>8.9%</b>	
<b>M2 £27,600</b>	<b>£29,800</b>	<b>8.0%</b>	
<b>M3 £29,664</b>	<b>£31,750</b>	<b>7.0%</b>	
<b>M4 £31,778</b>	<b>£33,850</b>	<b>6.5%</b>	
<b>M5 £34,100</b>	<b>£35,990</b>	<b>5.5%</b>	
<b>M6 £36,961</b>	<b>£38,810</b>	<b>5.0%</b>	

<b>Upper Pay Range</b>	<b>1/9/2021</b>	<b>1/9/2022</b>	<b>Change (%) from 2021</b>
<b>U1 £38,690</b>	<b>£40,625</b>	<b>5.0%</b>	
<b>U2 £40,124</b>	<b>£42,131</b>	<b>5.0%</b>	
<b>U3 £41,604</b>	<b>£43,685</b>	<b>5.0%</b>	

**Learning Practitioner Pay Range**

	<b>1/9/2021</b>	<b>1/9/2022</b>	<b>Change (%) from 2021</b>
<b>Min</b>	<b>£42,402</b>	<b>£44,523</b>	<b>5.0%</b>
<b>Max</b>	<b>£64,461</b>	<b>£67,685</b>	<b>5.0%</b>

**Pay Range for Leadership Group**

<b>Spine Point</b>	<b>1/9/2021</b>	<b>1/9/2022</b>	<b>Change (%) from 2021</b>
<b>L1</b>	<b>£42,195</b>	<b>£44,305</b>	<b>5.0%</b>
<b>L2</b>	<b>£43,251</b>	<b>£45,413</b>	<b>5.0%</b>
<b>L3</b>	<b>£44,331</b>	<b>£46,548</b>	<b>5.0%</b>
<b>L4</b>	<b>£45,434</b>	<b>£47,706</b>	<b>5.0%</b>
<b>L5</b>	<b>£46,566</b>	<b>£48,894</b>	<b>5.0%</b>
<b>L6</b>	<b>£47,735</b>	<b>£50,122</b>	<b>5.0%</b>
<b>L7</b>	<b>£49,019</b>	<b>£51,470</b>	<b>5.0%</b>
<b>L8</b>	<b>£50,151</b>	<b>£52,659</b>	<b>5.0%</b>
<b>L9</b>	<b>£51,402</b>	<b>£53,972</b>	<b>5.0%</b>
<b>L10</b>	<b>£52,723</b>	<b>£55,359</b>	<b>5.0%</b>
<b>L11</b>	<b>£54,091</b>	<b>£56,796</b>	<b>5.0%</b>
<b>L12</b>	<b>£55,338</b>	<b>£58,105</b>	<b>5.0%</b>
<b>L13</b>	<b>£56,721</b>	<b>£59,557</b>	<b>5.0%</b>
<b>L14</b>	<b>£58,135</b>	<b>£61,042</b>	<b>5.0%</b>
<b>L15</b>	<b>£59,581</b>	<b>£62,560</b>	<b>5.0%</b>
<b>L16</b>	<b>£61,166</b>	<b>£64,224</b>	<b>5.0%</b>
<b>L17</b>	<b>£62,570</b>	<b>£65,698</b>	<b>5.0%</b>
<b>L18a</b>	<b>£63,508</b>	<b>£66,684</b>	<b>5.0%</b>
<b>L18b</b>	<b>£64,143</b>	<b>£67,351</b>	<b>5.0%</b>

L19	£65,735	£69,022	5.0%
L20	£67,364	£70,732	5.0%
L21a	£68,347	£71,765	5.0%
L21b	£69,031	£72,483	5.0%
L22	£70,745	£74,282	5.0%
L23	£72,497	£76,122	5.0%
L24a	£73,559	£77,237	5.0%
L24b	£74,295	£78,010	5.0%
L25	£76,141	£79,948	5.0%
L26	£78,025	£81,926	5.0%
L27a	£79,167	£83,126	5.0%
L27b	£79,958	£83,956	5.0%
L28	£81,942	£86,040	5.0%
L29	£83,971	£88,170	5.0%
L30	£86,061	£90,364	5.0%
L31a	£87,313	£91,679	5.0%
L31b	£88,187	£92,596	5.0%
L32	£90,379	£94,898	5.0%
L33	£92,624	£97,255	5.0%
L34	£94,914	£99,660	5.0%
L35a	£96,310	£101,126	5.0%
L35b	£97,273	£102,137	5.0%
L36	£99,681	£104,665	5.0%
L37	£102,159	£107,267	5.0%
L38	£104,687	£109,921	5.0%
L39a	£106,176	£111,485	5.0%
L39b	£107,239	£112,601	5.0%
L40	£109,914	£115,409	5.0%
L41	£112,660	£118,293	5.0%
L42	£115,483	£121,257	5.0%
L43	£117,197	£123,057	5.0%

#### Pay Range for Unqualified Teachers

	1/9/2021	1/9/2022	Change (%) from 2021
1*	£18,419	£19,340	5.0%
2*	£20,532	£21,559	5.0%
3*	£22,644	£23,777	5.0%
4	£24,507	£25,733	5.0%
5	£26,622	£27,954	5.0%
6	£28,735	£30,172	5.0%