

Pay Policy

Devoran School



Approved by:	Governing Body	Date: 19 th October
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Contents

1. Aims.....	2
2. Legislation and guidance	3
3. Definitions	3
4. Roles and responsibilities	3
5. How we will decide pay on appointment.....	3
6. How we will decide on pay progression	4
7. Moving to the Upper Pay Range	5
8. Additional allowances	6
9. Leadership pay	7
10. Salary safeguarding arrangements.....	8
11. Information to be included in pay statements.....	9
12. Appealing a decision on pay progression	10
13. Support staff pay arrangements.....	10
14. Monitoring arrangements	11
15. Links with other policies.....	11
16. Appendix 1	12
17. Appendix 2	14

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1. Aims

This policy aims to:

- Clearly explain how we will determine teachers' pay and clearly explain how decisions will be made based on the teacher's performance
- Set out a clear framework for pay and progression throughout the school

Adopting this policy will:

- Support the recruitment and retention of high quality teachers
- Enable us to recognise and reward teachers for their contribution to the school
- Ensure that pay decisions are made in a fair and transparent way

This policy has been consulted on by staff and relevant trade unions.

2. Legislation and guidance

This policy complies with the School Teachers Pay and Conditions Document (STPCD). It is based on the model pay policy created by the Department for Education (DfE).

When implementing our pay policy, we will abide by:

- The Employment Relations Act 1999, which establishes a number of statutory work rights
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, which require us to ensure part-time and fixed-term workers are treated fairly
- The Equality Act 2010 which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- The principles of public life which require those conducting the procedures to be objective, open and accountable

Our procedures for addressing grievances in relation to pay are based on the Acas grievance code of practice and are set out in our staff grievance procedures.

3. Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the headteacher, unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Leadership group** comprises the Headteacher and Deputy Headteacher

4. Roles and responsibilities

Line managers will make recommendations on a teacher's pay following the teacher's appraisal.

Final pay decisions are made by the Governing Body.

Responsibility for making pay decisions is ratified by the full Governing Body.

5. How we will decide pay on appointment

The Governing Body will determine the pay range for a vacancy prior to advertising it. On appointment, it will determine the starting salary within that range to be offered to the successful candidate.

To determine the salary, the governing board will 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

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

6. How we will decide on pay progression

6.1 Annual reviews

The Governing Body will ensure that each teacher's salary is reviewed annually with effect from 1st September and no later than 31st October (except in the case of the Headteacher where this will be no later than 31st December) each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled.

Pay progression will be decided based on their performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the Governing Body will take into account:

- The performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period. Our appraisal arrangements, including what evidence will support judgements, are set out in full in our appraisal policy
- The pay recommendation made in the teacher's appraisal report
- Advice from the senior leadership team
- Any changes to the responsibilities and expectations of the teacher's role
- The wider school context, including the budget

When deciding pay progression based on performance, the following will apply:

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay decision 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.

In this **school** pay progression will fall within one of the two objectives/standards outlined below:

Pay Progression		
Met the objectives / standards	= x1 reference point	If teachers meet their agreed objectives which include the teacher standards, good or outstanding criteria as defined by Ofsted, and national standards they will receive pay progression.
Not met the objectives / standards	= 0 pay increase	If teachers do not meet their agreed objectives which also include the teacher standards, good or outstanding criteria as defined by Ofsted and national standards and where concerns have been raised through the appraisal process pay progression will be withheld.

If the employee has exceeded the agreed objectives, the **school** also has the discretion to award up to one additional reference point where they consider a teacher's performance, particularly in raising pupil standards and classroom teaching, as exceptional.

In this school the previous 6 main scale points will be converted into reference points and will be used to determine the level of pay. In this case, the reference points between the minima and maxima for the main pay range would be as follows:

Discretionary Reference points Teachers – Main Scale as at September 2017		
Minimum	1	£22,917
	2	£24,728
	3	£26,716
	4	£28,772
	5	£31,039
Maximum	6	£33,824

The decision can be 'no pay progression' without triggering the capability policy.

6.2 Mid-year reviews

Reviews may take place at other times of the year if an individual's role or job description changes. Changes include going part-time and taking on or removing additional roles and responsibilities.

A written statement will be given after any review and will give information about why it was made.

7. Moving to the Upper Pay Range

7.1 Making applications

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy.

Applications can be made at least once a year. Applications can be submitted no later than 31st October of each Academic Year in preparation for the new appraisal cycle and end of the previous year's.

Applications will be submitted in writing to line managers and will be reviewed by line managers and a senior leader. All applications will be treated fairly and impartially.

When submitting an application, please include:

- Results of appraisals under the 2012 regulations, including recommendations on pay
- Where this information is not applicable or available, a statement and summary of evidence to demonstrate that you have met the assessment criteria
- Evidence from the last two appraisals with score or evidence from a 3 year period if absent, in writing to the Headteacher on a standard form (see Appendix 2)

7.2 Assessment

In order to be eligible to be paid on the upper pay range, the governing board must be satisfied that:

- The teacher is highly competent in all elements of the Teachers' Standards; and
- The teacher's achievements and contributions are substantial and sustained

For the purpose of this policy:

- **‘Highly competent’** means:
Performance which is good enough to provide coaching, mentoring and advice to other teachers, and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice
- **‘Substantial’** means:
The teacher’s contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils’ learning
- **‘Sustained’** means:
The teacher’s contributions have been maintained over a long period

7.3 The decision

The assessment will be made and the applicant notified within 20 working days of the date of determination.

The decision will be made by the Governing Body who will also determine where the teacher will be placed on the upper pay range. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move to the upper pay range from the 31st March. Pay will be backdated to the start of the academic year. Successful applicants will be placed on the minimum reference point of the upper pay range. Applicants already on the upper pay range will, if successful, move to the next reference point on the upper pay range.

Discretionary Reference Points Teachers – Upper Pay Scale		
Minimum	1	£35,927
	2	£37,258
Maximum	3	£38,633

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 20 working days of the decision notification. The line manager will set out in writing why the application was unsuccessful, and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions are covered by our staff grievance procedures.

8. Additional allowances

Additional allowances may be awarded in a manner of ways, usually following an interview process for the additional allowance to outline the responsibilities it entails:

- Teaching and learning responsibility (TLR) payments
- Special educational needs (SEN) allowances
- Where unqualified teachers take on a sustained additional responsibility or have qualifications and experiences which bring added value to the work being undertaken
- Where a teacher is ‘acting up’ and is assigned the duties of a school leader but is not appointed as a school leader
- Where a teacher is seconded

These allowances will be awarded in line with the STPCD.

9. Leadership pay

Headteacher's Pay

The Governing Body will, when a new Headteacher appointment needs to be made, determine the pay range to be advertised and agree on appointment as follows:

The Governing Body will review the school's size and the Headteacher's Individual School Range (ISR) in accordance with paragraphs 11.1 to 11.9 of STPCD.

The Governing Body will take into account any permanent payments made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;

The Governing Body may determine that discretionary payments are to be made to the Headteacher in accordance with paragraphs 11.10 to 11.14 of STPCD. The total of all discretionary payments must not exceed 25% of the Headteacher's current point on the Leadership Group Pay Spine.

Headteacher's Performance

At the beginning of each academic year the Governing Body will appoint two or three governors who will agree performance objectives/targets with the Headteacher. The governors will appoint an external adviser to provide independent advice. The performance objectives/targets will reflect priorities identified in the school's development plan.

The performance review will be conducted in accordance with the school's Appraisal policy.

In the second half of the summer term of each year, (or where determined differently by the Governing Body, in the half term immediately prior to the anniversary of the setting of the performance criteria), the Governing Body will receive recommendations from the delegated governors and the Chair of Governors (if s/he is not a delegated governor) about the salary of the Headteacher. The recommendation shall reflect the delegated governors' views based on the outcomes of the annual performance review and the Chair of Governors view of the Headteacher's overall performance during the year. Any recommendation for movement up the ISR, on which the Headteacher is currently paid, may only be by one or two points in any one annual review.

The recommendation for the Headteacher will be made in a written statement to the Governing Body, giving reasons for the recommendation and the level of salary that it is recommended should be paid from the 1 September i.e. start of the next academic year. The increase can be up to 2 points on the ISR. The Governors will consider the recommendation and make its decision known to the Headteacher in writing on the appropriate salary assessment form normally in the second half of the summer term prior to the September in which the salary will be paid.

If the Headteacher wishes to appeal against the decision of the Governing Body regarding his/her pay, s/he may appeal to the Appeals Panel as referred to in this policy.

The appointed governors are aware of their duty to set performance objectives/targets in default of agreement with the Headteacher. This power will only be exercised as a last resort after the appeal procedure has been exhausted. The general appeals procedure will apply. The Head is entitled to submit a written statement, commenting on any objectives set, which will be taken into account at the time of the review.

Deputy Headteacher's Pay

When a new Deputy Headteacher is to be appointed, the Governing Body will determine the pay range to be advertised and agree on appointment. The Governing Body will determine the Deputy Headteacher's pay range in accordance with paragraph 13.1 to 13.7 of STPCD;

The Governing Body will have regard to the provisions of paragraph 12 of STPCD and will also take account of any other permanent payments made to staff within the school to ensure the appropriate differentials are created and maintained between posts of differing responsibility and accountability.

Deputy Headteacher's Performance

The Governing Body delegates to the Headteacher the agreement of performance objectives/targets for pay purposes for the Deputy Headteacher. Objectives/targets will be agreed and reported to the Governing Body as early as possible in the autumn term. The Deputy Headteacher may agree objectives/targets directly with the Governing Body where an agreement between the Headteacher and Deputy Headteacher is not achieved.

The Governing Body is aware of the Headteacher's duty to set performance objectives/targets in default of agreement. This power will only be exercised as a last resort after the appeal procedure has been exhausted. The general appeals procedure will apply. The Deputy Headteacher is entitled to submit a written statement, commenting on any objectives set, which will be taken into account at the time of the review.

The Headteacher will review the performance of the Deputy Headteacher against the performance objectives/targets and the Governing Body will award up to two points where objectives are met.

10. Salary safeguarding arrangements

We will abide by the STPCD and safeguard teacher's salaries if the post is revised or removed as a result of:

- Closure of the school or education establishment
- Organisational restructuring

Circumstances where higher pay is safeguarded include a removed or reduced:

- Teaching and learning responsibility (TLR) payment: TLR1 or TLR2
- Special educational needs (SEN) allowance
- Unqualified teacher's allowance
- Leadership pay range or leading practitioner pay range

If safeguarding sums exceed £500 in total, the Governing Body must review the teacher's assigned duties and allocate such additional duties to the teacher as they reasonably consider are appropriate and commensurate with the safeguarded sum, for as long as the teacher continues to be paid the safeguarded sum.

The teacher must not be paid the safeguarded sum if the teacher unreasonably refuses to carry out such additional duties, provided that the teacher is notified of the relevant body's determination to cease paying the safeguarded sum at least one month before it is implemented.

Sub-paragraph 4.2 applies to paragraphs 26, 29, 35 and 42 of STPCD whenever the relevant body is required to consider whether a salary of a higher value ("the new salary") or an allowance (including the award of an increase in the value of an allowance made by a decision of the relevant body) ("the new

allowance”), or the combined value of a new salary and a new allowance, is equal to or exceeds the combined value of a previous salary and a safeguarded sum.

The relevant body must take into account all the safeguarded sums to which the teacher is entitled and cease paying only the safeguarded sum or combination of safeguarded sums that is equal to or less than the total increase in the teacher’s remuneration attributable to the new salary or the new allowance.

For the purposes of paragraphs 26, 29 and 42 of STPCD the safeguarding period ends on the third anniversary of the relevant date; and in the case of a determination made by the relevant body between –

- 1 September and 31 December, the relevant date is 1 January immediately after the end of that period;
- 1 January and 31 March, the relevant date is 1 April immediately after the end of that period; and
- 1 April and 31 August, the relevant date is 1 September immediately after the end of that period.

11. Information to be included in pay statements

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

The statement will be issued by the Governing Body.

For all teachers, statements will include:

- Payments or other financial benefits awarded
- Any safeguarded sums
- Information on where the teacher can access a copy of the school’s staffing structure and pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include:

- The basis on which the salary has been determined
- The criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include:

- The date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include:

- The teacher’s position within the pay ranges
- The nature and value of any allowance received
- The value of any teaching and learning responsibility (TLR) payment awarded and details of what it was awarded for
- Where a TLR was awarded to cover a teacher’s absence, the end date of circumstances in which it will end
- For TLR3s, the letter should also include a statement that the payment will not be safeguarded

Statements for unqualified teachers will also include:

- The teacher’s position within the unqualified teachers’ pay range
- The value of any unqualified teacher’s allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded

12. Appealing a decision on pay progression

Where any teacher feels that a decision made over their pay is unfair, they have the right to appeal.

Teachers should attempt to resolve the matter informally at first, by speaking to the Headteacher and / or Chair of Governors.

If the teacher wishes to lodge a formal grievance, they should set out their reasons for appealing in a letter to the Headteacher within 14 working days of the pay statement being issued. Reasons may include:

- The pay policy was incorrectly applied
- The decision contravenes the STPCD the teacher is employed under
- The decision contravenes equality legislation
- Relevant evidence was not taken into account
- The decision was biased

The teacher will be given the opportunity to make representations in person. Any member of staff appealing has the right to see all relevant papers and to be accompanied by a trade union representative or workplace colleague.

The decision of the review will be given in writing, and will include a note of the evidence considered and the reasons for the decision. The decision of the reviewer will be final.

Teachers cannot use this process to appeal against their performance management assessment. The process of appeal against their performance rating is contained within the school's Appraisal Policy and procedure.

If the appeal is upheld, the Headteacher will re-issue the pay statement with the correct information.

13. Support staff pay arrangements

The Governing Body will apply the national (the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service -Green Book) and locally agreed conditions of service. The Governing Body will ensure that support staff are paid on scales agreed by the school.

The Governing Body will consult with the LA when assessing the appropriate grades for posts, in accordance with Section 5.5 of the Statutory Staffing Guidance under sections 35(8) and 36(8) of the Education Act 2002.

Support staff may seek a review of any pay determination where they believe:

- The job profile has been inaccurately assessed against the criteria and factor levels of the Job Evaluation Scheme.
- Nationally or locally agreed terms and conditions have been incorrectly applied.

The procedure for hearing appeals is set out in Appendix 1. The member of staff will be given the opportunity to make representations in person. Any member of staff appealing has the right to see all relevant papers and to be accompanied by a workplace colleague or trade union representative.

The decision of the appeal panel will be given in writing. The decision of the appeal panel is final.

14. Monitoring arrangements

This policy will be reviewed annually by the Headteacher and approved by the Governing Body.

The Governing Body will consider the outcomes and impact of the policy, including trends in progression across specific groups of teachers, to ensure it complies with equalities legislation.

15. Links with other policies

This policy links with our policies on:

- Staff grievance procedures
- Teacher appraisal

APPENDIX ONE – APPEALS

SUPPORT STAFF

The order of proceedings is as follows:

1. A member of staff receives written confirmation of the pay determination in relation to the post grade and /or other allowances from the Headteacher.
2. The member of staff should set down in writing the grounds for questioning the pay determination and send it to the Headteacher, with a copy to the Chair/Clerk of the Governing Body, within ten working days of the notification of the decision being appealed against. The Governing Body may extend the time limit for good and sufficient reason.

Informal stage (optional)

3. It may be possible to resolve the pay determination issue without the need to use the full formal appeals process. The member of staff will be invited to meet with his/her line manager with appropriate professional support to seek to resolve the pay determination issue in the first instance.

The meeting will be used to:

Give the member of staff an opportunity to expand on aspects of the job and working arrangements which it is felt have not been considered.

Give the line manager and their professional support the further opportunity to clarify aspects of the job and working arrangements with the member of staff.

4. The meeting is not a negotiating forum but is used to clarify and identify information that may not have been taken into account. Following the meeting the line manager can review the pay determination taking account of any additional information. The outcome of this review will be confirmed in writing. If, following the review, the assessment remains unchanged and the member of staff is still dissatisfied with the pay determination the formal appeals process would be continued with.

Formal Stage

5. The member of staff should confirm their intention to proceed with formal appeals process and include any additional information they feel relevant to their appeal, within ten days of being notified of the outcome of the informal process (if used).
6. The member of staff will be sent a copy of a management statement setting out the reasons for the pay determination.
7. The Governing Body will request to convene an appeal panel of a senior officer from the school's HR service and a trade union representative from one of the recognised support staff trade unions. This will normally be within 20 working days following receipt of the member of staff's statement and the management statement. The member of staff and the line manager will be given the opportunity to make representations in person.
8. The decision of the appeal panel will be given in writing. The decision of the appeal committee is final.

TEACHERS

The order of proceedings is as follows:

1. A teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. The teacher should set down in writing the grounds for questioning the pay decision and send it to the Headteacher, with a copy to the Chair/Clerk to the Governing Body, within ten working days of the notification of the decision being appealed against. The Governing Body may extend the time limit for good and sufficient reason. If the Headteacher wishes to appeal, a notification should go to the Chair of the Governing Body, with a copy to the clerk, within the same period of time.

Informal stage (optional)

3. It may be possible to resolve the pay determination issue without the need to use the full formal appeals process. The teacher will be invited to meet with the Pay Committee or person who made the determination to seek to resolve the pay determination issue in the first instance.

4. The meeting is not a negotiating forum but is used to clarify and identify information that may not have been taken into account. Following the meeting the pay determination can be reviewed taking account of any additional information. The outcome of this review will be confirmed in writing. If, following the review, the assessment remains unchanged and the teacher is still dissatisfied with the pay determination the formal appeals process would be continued with.

Formal Stage

5. The teacher should confirm their intention to proceed with formal appeals process and include any additional information they feel relevant to their appeal, within ten days of being notified of the outcome of the informal process.
6. The teacher will be sent a copy of a management statement setting out the reasons for the pay determination.
7. The Governing Body will convene an appeals panel of at least 3 Governors, who were not involved in the original determination and who are not otherwise excluded by virtue of regulation 57 or Schedule 6 of the School Government Regulations, normally within 20 working days following receipt of the teacher's statement and the management statement. The teacher will be given the opportunity to make representations in person.
8. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision. The decision of the appeal committee is final.

APPENDIX TWO –

Application to be paid on the Upper Pay Range

Personal Information:

Name:	Job Title:
School:	Date of application:
Date of last application (as appropriate):	

Written Statement:

<p>Details of Appraisal:</p> <p>Years covered by planning/review statements</p> <p>Schools covered by planning/review statements</p> <p>Summary of application.</p> <p>(Continue on additional sheets if needed)</p>
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Declaration

I confirm that at the date of this request for assessment I meet the eligibility criteria and I submit the appraisal (and brief supporting evidence as appropriate).

Signed (applicant):

Date: