

Pay Policy

A model for Schools



CHANGES TO MODEL PAY POLICY – SEPTEMBER 2009

2.1	Roles & Responsibilities	Inserted paragraph on collaboration on appointments.
5.2	Threshold	Updated for new Threshold application timeframes and procedures from 1 September 2009
9.1	Headteachers' Pay	Updated reference to pay for headteachers of more than one school.
10.1.3	Out of school learning allowances	Insertion of arrangements for 1:1 tuition
10.1.4	Headteachers additional roles	New paragraph on payment for headteachers taking on additional responsibilities to raise education standards in other schools
26	Appeals	Insertion of sentence requiring appeals to be raised as soon as possible after notification of disputed salary.
Appendix D	Staffing Structure	Updated wording – schools to insert staffing structure.

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Pay Policy
A Model for Schools

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CONTENTS**PAGE NO:**

INTRODUCTION	5
ROLES, RESPONSIBILITIES AND PROCESS	5
PAY TIMETABLE	6
TEACHERS' PAY	7
QUALIFIED TEACHERS	7
NEWLY QUALIFIED TEACHERS	10
ADVANCED SKILLS TEACHERS (ASTS)	10
EXCELLENT TEACHERS	11
LEADERSHIP GROUP	11
Headteachers	11
Deputy Headteachers	12
Assistant Headteachers	12
ADDITIONAL PAYMENTS TO TEACHERS	13
Salary Sacrifice Schemes	14
Honoraria	14
Acting Arrangements	14
Recruitment and Retention Incentives and Benefits	14
Residential allowances	15
UNQUALIFIED TEACHERS	15
PART-TIME STAFF	16
SHORT NOTICE/SUPPLY TEACHERS	16
SUPPORT STAFF	17
STAFFING STRUCTURE	17
SALARY PROTECTION/SAFEGUARDING	17
LINKS BETWEEN PAY AND PERFORMANCE	18
PAY DIFFERENTIALS	18
STAFFING BUDGET	18
RELATIONSHIP WITH THE SCHOOL IMPROVEMENT PLAN	18
PENSIONS	18
ACCESS TO DEVELOPMENT OPPORTUNITIES	19
EQUAL OPPORTUNITIES	19
CONSULTATION ARRANGEMENTS	19
COMMUNICATION ARRANGEMENTS	19
APPEALS PROCEDURE	19
OVERPAYMENTS/UNDERPAYMENTS	21
APPENDIX A TERMS OF REFERENCE – PAY COMMITTEES	23
APPENDIX B(i) HEARING PROCEDURE	25
APPENDIX B(ii) HEARING PROCEDURE PAY APPEAL	25
APPENDIX C ARRANGEMENTS FOR DETERMINATION OF PROGRESSION	26
APPENDIX D STAFFING STRUCTURE	30

1. INTRODUCTION

- 1.1 The Governing Body of _____ School recognises that pay is of considerable importance in managing staff. Pay will influence relationships at work and if pay is to be a positive rather than negative force, it is important to secure as much agreement as possible about its aims and to reduce the amount of misunderstanding which surrounds it.
- 1.2 School staff pay is affected by a complex range of legislation, and national and local pay agreements, which give governing bodies significant flexibility to determine pay levels to meet local circumstances. The purpose of this policy is to set out the way and timescales in which, and by whom, the salary of staff will be determined. In determining and implementing its Pay Policy the Governing Body has regard to the School Teachers' Pay & Conditions Document (TPCD) and the accompanying statutory guidance and to national and local pay agreements for support staff and these documents will take priority in any disputes. The Policy will be reviewed annually, in consultation with staff and unions.
- 1.3 In addition to the specific considerations outlined in the policy, the Governing Body will take into account how the application of pay decisions will meet the school's needs. In particular the Governing Body will consider whether:
- the school has problems in recruiting and retaining staff generally or to specific posts;
 - current pay and staffing arrangements ensure the right balance of staff to deliver the curriculum and other school objectives;
 - the school's personnel data on turnover, vacancies, absence etc. indicate that the pay policy is effective;
 - monies are available in the school's budget to pay current salaries and potential pay advancements, including whether the school is eligible for any grant funding.

2. ROLES, RESPONSIBILITIES AND PROCESS

- 2.1 The Governing Body has established the following committees which have fully delegated powers to make decisions on teachers' pay, and (except in relation to the Headteacher's pay) will be advised by the Headteacher as appropriate.
- Pay Committee
 - Headteachers' Pay Committee
 - Pay Appeals Committee

Where the Governing Body collaborates with another school or schools on the appointment of staff, joint pay committees may be established between the relevant Governing Bodies to deal with pay and performance matters of shared staff.

All GBs are required by statute (TPCD) to have a pay policy in place.

Staff must be consulted on the policy prior to its formal adoption.

All staff should have access to a copy of the policy and it should be published through the school's scheme of publication.

It is recommended that the GB establishes these committees and gives them fully delegated powers to make relevant pay, and where appropriate, performance mgt decisions.

The terms of reference for these committees are attached at Appendix A. Governors will not make judgements about the effectiveness of individual staff. Their role is to satisfy themselves that any recommendation/decision has been made on the basis of evidence and has been made taking proper account of equal opportunities and that correct procedures have been followed.

2.2 The teachers' Performance Management Reviewer will be responsible for the Performance Management Process, in accordance with the School's Performance Management Policy and will make a pay recommendation to the Pay Committee.

2.3 The Headteacher has fully delegated powers to make decisions regarding the pay of support staff up to [**ENTER SALARY LEVEL (a)**], including performance pay progression.

(a) e.g. up to and including Band 4

3. PAY TIMETABLE	Externally determined	School action on pay
March		Annual pay review undertaken for LGS staff, including review of performance. Set objectives for next year.
April	LGS staff national pay award. School budget fixed	Set budget.
September	Teachers' annual pay award.	Implement changes from annual pay review for teachers with effect from 1 September.
By 31 October		Annual pay review undertaken for teachers, including review of performance. Set objectives for next year.
By 31 December		Annual pay review undertaken for headteachers, including review of performance. Set objectives for next year.

Recommended that support staff are notified in writing of outcome of salary review where subject to performance pay review.

4. TEACHERS' PAY

4.1 All teachers at the school are paid in accordance with the statutory provisions of the School Teachers' Pay & Conditions Document, a copy of which can be found in the school office or on-line at www.teachernet.gov.uk

4.2 The salaries of teaching staff will be determined:

- annually on or after 1 September, but no later than 31 October (31 December for Headteacher's Pay)]
- on appointment to the school;
- at any other time provided for by the School Teachers' Pay & Conditions Document

4.3 All teaching staff will be informed in writing of their pay determination and the rationale for it with effect from 1 September each year and at any other time when a salary review takes place.

5. QUALIFIED TEACHERS

5.1 Classroom Teachers

The assessment for classroom teachers will be determined as set out in the current School Teachers' Pay and Conditions Document. In order to determine the position on the pay spine the following criteria will be used:

5.1.1 Experience

- (i) One point will be awarded for each year of qualifying employment as defined by the School Teachers' Pay and Conditions Document.
- (ii) The Governing Body may award a second point for experience in any year where a teacher's performance is deemed to be excellent, having regard to all aspects of their professional duties, but in particular classroom teaching.
- (iii) The Governing Body will also consider awarding additional discretionary points for prior experience which it considers to be directly relevant to the post e.g. **[ENTER EXAMPLES (b)]**. Normally the Governing Body will award no more than one point for every **[INSERT NUMBER (c)]** year(s) of other relevant experience.
- (iv) Points for experience will be awarded on a permanent basis. The maximum number of points available in respect of experience is five.

Responsibility for issuing letters may be given to HT. Model letters at www.teachernet.gov.uk

(b) e.g. Experience as a teacher overseas, in further education, in a non-maintained/independent school and/or in a relevant area outside teaching.

(c) e.g. *no more than one point for every 2 years of other relevant experience.*

- (iv) The Governing Body may decide not to award an experience point when a teacher has performed unsatisfactorily. This will normally only take place in the context of a formal disciplinary or capability procedure and will follow prior written notification to the teacher concerned.

5.2 Upper Pay Scale

- (i) A teacher may apply, once **in the period 1 September 2009 to 31 October 2010**, for assessment against the Threshold Standards **if they are placed on point M6 of the main scale on or before 1 September 2009**. Applications must conform to the requirements set out in the Teachers' Pay & Conditions Document and should be submitted to the headteacher. The headteacher will make the assessment **based on the previous 2 Performance Management Reviews** and notify the pay committee and the teacher (normally within 20 days of notifying the pay committee). The teacher will receive oral and written feedback from the headteacher. Where an application is unsuccessful the teacher may ask for a review which will be dealt with in accordance with the pay appeals procedure as described in section 26. of this policy.
- (ii) Where a teacher applies for and passes the Threshold he/she will be placed on point 1 **of the upper pay scale on 1 September 2010**. Where a teacher is otherwise considered to be a post threshold teacher as defined by the Teachers' Pay & Conditions Document, the Governing Body will determine the appropriate point on the upper pay spine taking into account any pay progression which the teacher made in their previous employment which was based on an assessment of standards and contribution comparable to the requirements of progression on UPS. Appointment at the appropriate point in the Upper Pay Spine will not unreasonably withheld. **ENTER ADDITIONAL CRITERIA (d)]**.
- (iii) Further progression on the upper pay scale will be subject to the teacher demonstrating substantial and sustained achievement and contribution having regard to the two most recent reviews carried out under the school's Performance Management Policy and any recommendation on pay recorded on the teacher's most recent Review Statement. Determination on progression on the upper pay scale will be made in accordance with the arrangements outlined in Appendix D of this Policy.

Application forms and additional guidance for 09/10 available:
<http://www.teachernet.gov.uk/management/payandperformance/threshold/>

NB a teacher who has been an AST or paid on Leadership scale will normally be deemed to have passed Threshold if they step down to a teaching post (subject to TPCD conditions)

(d) optional additional considerations e.g. experience as a teacher and their position relative to other post-Threshold teachers

- (iv) Only in exceptional circumstances will progression on the upper pay scale occur at intervals of less than two years. The Governing Body will determine exceptional circumstances on a case by case basis having regard to equalities, fairness and transparency.

NB Teachers are entitled automatically to retain performance points on the Upper Pay Scale if they move to another school.

5.3 Additional Allowances

Teachers on the main pay scale or the upper pay scale may be awarded allowances as follows:

5.3.1 Teaching and Learning Responsibility Payments

- (i) Teaching and learning responsibility (TLR) posts are as set out in the School's Staffing Structure (see Appendix D)
- (ii) TLR payments are permanent while the employee remains in the same post in the staffing structure.
- (iii) Where a TLR is awarded, written notification will be given to the teacher of:
 - the nature of the significant responsibility;
 - the level of the payment;

TLR posts must meet the criteria set out in the TPCD

They may only be awarded temporarily where the employee is covering a permanent TLR post (e.g. sickness, maternity, vacancy cover)

5.3.2 Special Needs Allowances

- (i) There are two special needs allowances.
- (ii) The first special needs allowance shall be awarded by the Governing Body to:
 - classroom teachers in a special school;
 - classroom teachers who are engaged wholly or mainly in taking charge or teaching pupils with statements of special education needs in special classes and/or who are in charge of special classes consisting wholly or mainly of children who are hearing or visually impaired;and may be also awarded to classroom teachers who makes a particular contribution to the teaching of pupils with special educational needs which is significantly greater than would normally be expected. The Governing Body will determine such awards on a case by case basis having regard to equalities, fairness and transparency *
- (iii) The Governing Body may award the 2nd special needs allowance where a teacher holds the first allowance and has particular qualifications and/or experience which are

*The GB may include specific criteria e.g. specific qualifications/ experience

particularly relevant to the teachers work. The Governing Body will determine such awards on a case by case basis having regard to equalities, fairness and transparency.*

NB There is no automatic entitlement for teachers to retain any of the above allowances where they move to another school.

6. NEWLY QUALIFIED TEACHERS

The Governing Body may exercise its discretion to engage in July, newly qualified teachers, who have been appointed to the school from September, in order to secure their appointment.

7. ADVANCED SKILLS TEACHERS (ASTS)

Where the Governing Body employs ASTs, any such posts will be shown in the School's Staffing Structure (see Appendix D) and the salary of ASTs will be determined as follows:

7.1 ASTs will be paid on the advanced skills teachers' pay spine.

7.2 The Governing Body will select a pay range consisting of five consecutive points on the pay spine for each AST.

7.3 When determining an appropriate five point pay range, the Governing Body will have regard in particular (but not exclusively) to the following criteria:

- the nature of the work to be undertaken, including any work with teachers from other schools, other educational institutions, the LEA or elsewhere;
- the scale of the challenges to be tackled;
- the professional competencies required of the postholder;
- any other criteria as it considers relevant, including recruitment/retention issues;
- the status of the grade as an alternative to a post paid on the leadership spine;
- the need for an appropriately substantial pay increase in relation to the appointee's previous post;
- whether the post would, or may otherwise have attracted an allowance e.g. SEN

7.4 The salary of a newly appointed advanced skills teacher shall be that corresponding to the lowest point on the five point range.

7.5 Further progression on the AST pay scale, of one or two points per year, will be subject to the teacher demonstrating a sustained high quality of performance having regard to the most recent review carried out under the school's Performance Management Policy and any recommendation on pay recorded on the teacher's most recent Planning and Review

Statement. Determination on progression on the AST scale will be made in accordance with the arrangements outlined in Appendix D of this Policy.

8. EXCELLENT TEACHERS

Where the Governing Body employs Excellent Teachers any such posts will be shown in the School's Staffing Structure (see Appendix D). The Governing Body will set a spot salary for individual Excellent Teachers within the range set out in the Teachers' Pay and Conditions Document, having regard only to

- (a) the nature of the work undertaken; and
- (b) the degree of challenge of the role.

9. LEADERSHIP GROUP

9.1 Headteachers

9.1.1 **The Governing Body will determine the group size of the school with reference to pupil numbers as set out in TPCD.**

9.1.2 **The Governing Body will then select** an individual school range (ISR) consisting of seven consecutive points on the leadership pay spine (normally within the range applicable to the group size) as set out in TPCD.

9.1.3 When determining the ISR the Governing Body will base this on the school's size, circumstances and other responsibilities of the post and will take account of any difficulties there may be in recruiting or retaining a Headteacher. The Governing Body will disregard the salary of the existing Headteacher when determining the ISR.

9.1.4 **Where a person is appointed as headteacher of more than one school on a permanent or temporary basis, the group size and ISR will be determined by reference to the combined pupil numbers and size, circumstances and responsibilities of all the schools as set out in TPCD.**

9.1.5 The starting point of a newly appointed Headteacher will not exceed the third point above the minimum of the ISR. When determining the actual salary of a new Headteacher, the Governing Body will take account of the responsibilities of the post, the background of pupils at the school and whether the post was difficult to fill.

9.1.6 Further progression on the leadership pay scale of one or two points in any one year, will be subject to the Headteacher demonstrating a sustained high quality of performance having regard to the most recent review carried out under the school's

Performance Management Policy and any recommendation on pay recorded on the teacher's most recent Review Statement. Determination on progression on the leadership scale will be made in accordance with the arrangements outlined in Appendix D of this Policy.

9.2 Deputy Headteachers

- 9.2.1 The Governing Body will select a Deputy Headteacher pay range, for each Deputy Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.
- 9.2.2 When determining each Deputy Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post, the background of pupils at the school and will take account of any difficulties there may be in recruiting or retaining a Deputy Headteacher.
- 9.2.3 The maximum of the pay range for a Deputy Headteacher must be at least one point below the minimum of the ISR for the Headteacher and the minimum of the range for any Deputy Headteacher must be higher than the salary* of the highest paid classroom teacher.
- 9.2.4 The starting point of a newly appointed Deputy Headteacher will not exceed the second point above the minimum of the range.
- 9.2.5 Further progression on the leadership pay scale of one or two points will be subject to the Deputy Headteacher demonstrating a sustained high quality of performance having regard to the most recent review carried out under the school's Performance Management Policy and any recommendation on pay recorded on the teacher's most recent Planning and Review Statement. Determination on progression on the leadership scale will be made in accordance with the arrangements outlined in Appendix D of this Policy.

* the highest paid teacher is deemed to be a teacher paid on UPS1 plus the highest SEN and Management Allowance/TLR payable in the school. Higher UPS points have no effect and R&R payments must not be taken into account

9.3 Assistant Headteachers

- 9.3.1 The Governing Body will select an Assistant Headteacher pay range for each Assistant Headteacher, consisting of five consecutive points on the leadership pay spine as set out in the School Teachers' Pay and Conditions Document.
- 9.3.2 When determining each Assistant Headteacher's pay range the Governing Body will base this on the circumstances and responsibilities of the post, the background of pupils at the school and will take account of any difficulties there may be in recruiting or retaining an Assistant Headteacher.

- 9.3.3 The maximum of the pay range for an Assistant Headteacher must be at least one point lower than the maximum of the range for any Deputy Headteacher and the minimum of the range for any Assistant Headteacher must be higher than the salary* of the highest paid classroom teacher.
- 9.3.4 The starting point of a newly appointed Assistant Headteacher will not exceed the second point above the minimum of the range.
- 9.3.5 Further progression on the leadership pay scale of one or two points, will be subject to the Assistant Headteacher demonstrating a sustained high quality of performance having regard to the most recent review carried out under the school's Performance Management Policy and any recommendation on pay recorded on the teacher's most recent Planning and Review Statement. Determination on progression on the leadership scale will be made in accordance with the arrangements outlined in Appendix D of this Policy.

* the highest paid teacher is deemed to be a teacher paid on UPS1 plus the highest SEN and Management Allowance/TLR payable in the school. Higher UPS points have no effect and R&R payments must not be taken into account.

10. ADDITIONAL PAYMENTS TO TEACHERS

10.1 The Governing Body will exercise its discretion to award additional payments to staff, as allowed by the Teachers' Pay & Conditions Document, for:

10.1.1 **Continuous professional development** as follows:

- (i) The hourly rate will be **[ENTER AMOUNT (d)]**:
- (ii) Payments as outlined above will be paid in the following circumstances **[ENTER CIRCUMSTANCES (e)]**

10.1.2 **Activities related to the provision of initial teacher training (ITT)**

as part of ordinary conduct of the school;

- (i) The hourly rate will be **[ENTER AMOUNT (d)]**
- (ii) Payments as outlined above will be paid in the following circumstances: **[ENTER CIRCUMSTANCES (f)]**
- (iii) Teachers who undertake ITT activities which are not seen as part of an ordinary incident of the conduct of the school will be given separate non-teaching contracts. Grading for such posts will be determined as for support staff (see section 14)

10.1.3 **Participation in out of school hours learning activities** agreed between the teacher and the Headteacher **as follows:**

- (i) Teachers undertaking 1:1 tuition outside the school day:
- (ii) The hourly rate will be £25

(d) e.g. hourly rate (including/excluding allowances/threshold) or a notional rate/overall sum
(e) e.g. where agreed training at weekend and/or holidays or where teachers engaged in consultancy work which represents CPD
 NB can only be paid for hours outside 1265 for classroom teachers
(f) e.g. supervising/observing teaching practice, feedback to students, acting as professional mentor; assessing students
 NB support for ITT is part of the professional duties of an AST.
(g) add any others e.g. summer school, after

- (i) **[ENTER CIRCUMSTANCES (g)]**
- (ii) **[ENTER AMOUNT (d)]**

10.1.4 Additional responsibilities and activities of the headteacher

The Governing Body will determine on a case by case basis what, if any, proportion will be paid to the headteacher, of additional income received due to, or in respect of, his/her provision of services relating to the raising of educational standards to one or more additional schools. This does not apply to a headteacher where Paragraph 9.1.4 of this Policy applies.

- (i) **[ENTER AMOUNT (d)]**

Duties, arrangements and pay details will be confirmed in writing to individual staff in advance of them carrying out the relevant activity in paras 10.1 above.

10.2

Salary Sacrifice Schemes

The Governing Body operates a Salary Sacrifice Scheme, in accordance with the Teachers' Pay & Conditions Document, in relation to:

- Child Care Vouchers*
- Cycles/cycle safety equipment*
- Mobile telephone*

(* delete those not applicable)

Teachers choosing to participate in the scheme will have their gross pay reduced accordingly for the duration of their participation.

10.3

Honoraria

The Governing Body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties.

10.4 Acting Arrangements

Where a teacher is assigned and carries out the duties of a Headteacher, Deputy Headteacher, or Assistant Headteacher, but has not been appointed in an acting capacity the Governing Body shall, within four weeks, determine whether or not an allowance should be paid in accordance with the provisions of the School Teachers' Pay & Conditions Document.

10.5 Recruitment and Retention Incentives and Benefits

10.3.1 The Governing Body may, as an incentive for the recruitment of new teachers and the retention of existing teachers, exercise its discretion to make payments or provide other financial assistance, support or benefits.

10.3.2 An incentive for recruitment or retention may consist of periodic payments or the provision of other benefits over a period of

school/breakfast clubs, sporting activities, clubs linked to curriculum
NB can only be paid for hours outside 1265 for classroom teachers

OR
State if the Governing Body has chosen not to exercise its discretions in these areas

NB the LA supports a Child Care Voucher Scheme. Any other schemes will need to be developed and supported by the school.

Honoraria are not permitted by TPCD

(h) e.g. the length of time the post has been vacant , the response to any advertisement(s) and the number of advertisements placed, the

time and may only be awarded for a fixed period not exceeding 3 years. In exceptional circumstances only retention payments may be renewed.

10.3.3 Where a teacher is given a recruitment or retention incentive or benefit, the teacher shall be given written notification of:

- whether the award is for recruitment or retention;
- the nature of the award (e.g. cash sum, travel/housing costs etc.);
- when and how it will be paid as applicable;
- the start date and duration, where the award is not a one-off payment;
- the basis for any uplifts which will be applied as applicable.

10.3.5 In deciding whether to award incentives and benefits for recruitment and the amount of any such award, the Governing Body will consider each case on an individual basis and will take account of any difficulties in recruiting to individual posts, having particular regard to: **[ENTER CONSIDERATIONS (h)]**

In deciding whether to award incentives and benefits for retention or whether to exceptionally extend such awards beyond 3 years, and the amount of any such award, the Governing Body will consider each case on an individual basis and will have regard to whether failure to make such an award will result in serious detriment to the effectiveness of the school having particular regard to: **[ENTER CONSIDERATIONS (i)]**

circumstances of the school, previous difficulties in recruiting to similar posts, any recommendation of the headteacher

(i) e.g. evidence that the post may be difficult to fill and/or that it would be difficult to replicate the skills, experience and expertise of individual staff, high staff turnover and other vacancies in related areas, the circumstances of the school, any recommendation of the headteacher.
OR State if the Governing Body has chosen not to exercise its discretions in these areas

10.6 Residential allowances

Teachers in residential schools are subject to the terms of the Joint National Council for Teachers in Residential Establishments.

Residential schools should insert details of applicable allowances

11. UNQUALIFIED TEACHERS

11.1 Unqualified teachers will usually be paid on the Unqualified Teachers' Scale.

11.2 Where an unqualified teacher is on a recognised route into teaching programme, the Governing Body may exercise its discretion to pay him/her on the qualified teachers' scales **[INSERT CONSIDERATIONS (j)]**

(j) e.g. in order to recruit or retain his/her services, particular skills/experience

11.3 The salaries of unqualified teachers will be assessed upon appointment and may be reviewed at the discretion of the Governing Body. Points may be awarded in respect of relevant qualifications and/or experience. The Governing Body will consider **[ENTER CONSIDERATIONS (ji)]**

(ji) e.g. recognised teaching qualification from

- 11.4** The Governing Body may determine that such an 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:
- (a) taken on a sustained additional responsibility which is:
 - (i) focussed on teaching and learning; and
 - (ii) requires the exercise of a teachers' professional skills and judgement: or
 - (b) qualifications or experience which bring added value to the role he is undertaking.
- [ENTER CONSIDERATIONS (jii)].**

11.5 Where a teacher is appointed below the maximum point of the unqualified teacher scale, one increment will be awarded on an annual basis (with effect from 1 September) for every completed year of service until the maximum of the scale is reached. Notwithstanding this, the Governing Body may award such additional increments as it considers appropriate up to the maximum of the scale.

11.6 The Governing Body may decide not to award an experience point when an unqualified teacher has performed unsatisfactorily. This will normally only take place in the context of a formal disciplinary or capability procedure and must follow prior written notification to the teacher concerned.

11.7 Points awarded under Paragraphs 11.3. and 11.5 above will be permanent.

12. PART-TIME STAFF

Teachers who work less than a full day or week are deemed to be part-time. The proportion of full-time will be calculated as follows:

$$\frac{\text{Teacher's timetabled teaching time}^*}{\text{School's timetabled teaching time}^*} = \text{part-time percentage}$$

Part-time teachers will be expected to work a corresponding proportion of directed time.

13. SHORT NOTICE/SUPPLY TEACHERS

13.1 Teachers who are engaged directly by the school and work on a day-to-day basis or other short notice basis will have their pay determined in line with the statutory pay arrangements in the same way as other

overseas, post-16 or subject specific qualification. Experience teaching overseas, post-16

(jii) e.g. specific experience, or qualifications, whether the equivalent qualified teacher post would attract any allowances

*includes all timetabled teaching time incl. PPA and leadership & management time. Excludes all breaks, registration and assemblies.

wef 1 September 2008, all part-time teachers must receive an agreed written statement regarding the deployment of their working time.

teachers.

13.1.1 Supply teachers working a whole day, including directed time, will initially have their salary calculated as an annual amount; it will then be divided by 195 and multiplied by the number of days worked.*

13.1.2 Supply teachers working less than a full day will be hourly paid. The salary will be calculated as an annual amount and then divided by 1265 to determine the hourly rate, which will then be paid for hours worked, including any agreed payment of non-contact time.*

14. SUPPORT STAFF

The Governing Body will ensure that the salaries determined for support staff are in accordance with nationally or locally agreed conditions of service.

14.1 The salaries of all support staff will be assessed:

- annually to take effect from 1 April;
- upon appointment to the school;
- at any other time deemed appropriate by the Governing Body.

This assessment will be determined by the following criteria:

- responsibilities of the post;
- performance of the post holder in accordance with previously agreed objectives under any performance management process;
- in accordance with any career progression scheme for support staff adopted by the school.*

14 2 Written notification of salary reviews will be given as appropriate.

15. STAFFING STRUCTURE

The Staffing Structure of the School is as set out in Appendix E. The Structure will be kept under regular review and may be amended from time to time, as the Governing Body considers appropriate, subject to relevant regulations and provisions in the Teachers' Pay & Conditions Document, including consultation and as set out in the school's Redundancy and Re-organisation Policy*.

16. SALARY PROTECTION/SAFEGUARDING

The Governing Body will ensure appropriate salary protection/safeguarding for teachers in accordance with the School Teachers' Pay and Conditions Document. In respect of support staff, the Governing Body will apply the Essex County Council salary policy.* Employees in receipt of safeguarding will be expected to undertake commensurate work.

Line managers should undertake performance reviews and make recommendations to the HT

* delete if not applicable

* new policy available September 2008

* amend as appropriate

17. LINKS BETWEEN PAY AND PERFORMANCE

The Governing Body is committed to effective Performance Management for all staff. Employees' performance against objectives set under the Performance Management process will be used to make decisions about pay progression where appropriate. The Governors will ensure that the school's Performance Management Policy is sufficiently robust to provide adequate evidence to support pay decisions and that it provides sufficient detail for an individual to appreciate what evidence and other factors will be taken into consideration when a pay decision is made. Performance will be kept under regular review and early notification will be given to staff where performance is not consistent with the expectations for salary progression.

18. PAY DIFFERENTIALS

Salaries assessed in accordance with this policy will take into account different levels of responsibilities and other material differences between posts and post-holders together with any specific requirements of the School Teachers' Pay and Conditions Document.

19. STAFFING BUDGET

The amount of money allocated to implementing the School's Pay Policy will be determined at the beginning of each financial year through the budget allocation process of the school. The Governing Body 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 UPS progression.

20. RELATIONSHIP WITH THE SCHOOL IMPROVEMENT PLAN

The Pay Policy is integral to the school improvement/development plan and staffing plan - this enables the Governing Body to examine the pay of school staff against a clear view of current, and future, needs and provides opportunities to reward and motivate staff who undertake the tasks and responsibilities required to implement the plans.

21. PENSIONS

All regular salary payments to staff, with the exception of some recruitment and retention benefits, are pensionable. The Governing Body will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement. The Governing Body recognises that, were this to be done, the DCSF and LEA, where appropriate, may use their powers to substitute a notional salary for calculation of pension.

22. ACCESS TO DEVELOPMENT OPPORTUNITIES

The Governing Body believes that access to development opportunities (for example promotion, additional responsibilities) should be available to all staff, whether full or part-time and will advertise their availability within the school.

23 EQUAL OPPORTUNITIES

23.1 The Governing Body recognises the principle of equal pay for work of equal value and for like work in the implementation of this policy. The Governing Body will take into account the salaries payable in other schools, where possible, in setting pay levels.

23.2 All pay related decision will be taken in accordance with relevant equalities legislation, including, Race, Sex and Disability Discrimination Acts, Employment Relations Acts and Part-time Workers and Fixed-term Employees Regulations. Appropriate consideration will be given where staff have been absent for long periods e.g. due to sickness or maternity leave.

24. CONSULTATION ARRANGEMENTS

In establishing and in subsequently reviewing the School's Pay Policy, the Governing Body will consider the views of school staff and their representatives prior to determining the approved policy. A copy of the pay policy will be made available to every member of staff.

25 COMMUNICATION ARRANGEMENTS

The Governing Body is committed to ensuring that all staff are aware of the School's Pay Policy and that the reasons for pay-related decisions are understood. The application of the School's Pay Policy will be undertaken in as open a way as possible. However, the salary details of individual members of staff shall remain confidential between themselves and the Headteacher/Pay Committees/Governing Body/accredited external parties. The chairs of the Pay Committees are responsible for ensuring staff are informed of any decisions of the Pay Committees.*

The Headteacher will withdraw from the meeting, where his/her pay is being discussed and under the Regulations covering pecuniary interests, staff may not, of course, vote on salary issues.

26. APPEALS PROCEDURE

26.1 An employee may appeal against any determination in relation to his/her pay or any other decision taken by the Governing Body that affects his/her pay, including his/her Performance Management Planning and/or Review Statement. **Any such appeal should be raised as soon as**

*Responsibility for issuing pay statements letters may be delegated to the HT.

possible after receipt of notification of the disputed salary.

- 26.2** The grounds for appeals are that the person or committee by whom the decision was made:
- incorrectly applied the provisions of the Teachers' Pay & Conditions Document / national / local terms and conditions / Performance Management Regulations/Policy;
 - failed to have proper regard for statutory guidance;
 - failed to take proper account of relevant evidence and/or took account irrelevant or inaccurate evidence;
 - were biased; or
 - otherwise unlawfully discriminated against the employee.
- 26.3** The Performance Management Reviewer will discuss the Performance Management Planning/Review Statement and any pay recommendation with the employee prior to making any formal recommendation to the Pay Committee where appropriate.
- 26.4** 26.4.1 If the employee is not satisfied with the content of the Performance Management Planning/Review Statement (following any moderation as set out in the School's Performance Management Policy) s/he should set out their grounds in writing and submit it to the headteacher. Any such appeal will normally be heard by the Pay Appeals Committee as set out in 26.6.3 below.
- 26.4.2 However, where the grounds are related to, or include, the pay recommendation contained in the Review Statement, the employee's concerns will be heard through his/her attendance at the Pay Committee meeting to consider the pay recommendation. S/he will have the right to be accompanied at this meeting and to make representations. If s/he is subsequently dissatisfied with the decision of the Pay Committee, s/he may appeal to the Pay Appeals Committee as set out in 26.6.2 below.
- 26.5** 26.5.1 If the employee has not appealed against the pay recommendation on the Performance Management Review Statement, but is subsequently not satisfied with the pay decision of the Pay Committee (Headteacher in the case of support staff), s/he should set down in writing the grounds for questioning the pay decision (which must relate to the grounds in 26.2 above) and send it to the chair of the Pay Committee (Headteacher) within 10 working days of receipt of written notification of that pay decision.
- 26.5.2 The Pay Committee (Headteacher) should provide a hearing, normally within 10 working days' of receipt of the written notification of the grounds for questioning the pay decision, to consider this.

26.5.3 The employee shall have the right to attend this meeting, the opportunity to make representations in person and shall be entitled to be accompanied at the hearing by a friend or member of a recognised Trade Union. All parties wishing to rely on written evidence at the hearing must circulate this to all parties (including the Headteacher) at least 3 working days prior to the hearing.

26.5.4 Following this hearing, the employee shall be informed in writing of the hearing's decision and the right to appeal against it.

26.6 26.6.2 Any appeal against a Pay decision made by the Pay Committee (Headteacher for support staff) should be notified to the Chair of the Pay Appeals Committee within 10 working days of receipt of the hearing's decision (as set out in 26.5.4 above).

26.6.3 Appeals will be heard by the Pay Appeals Committees, at a hearing, normally within 20 working days of receipt of the written appeal. The employee will be entitled to attend the appeal hearing, to make representations and to be accompanied by a friend or member of a recognised Trade Union. All parties wishing to rely on written evidence at the hearing must circulate this to all parties (including the Headteacher) at least 3 working days prior to the hearing.

26.6.4 The decision of the appeal committee will be notified in writing and, where the appeal is rejected, this will include a note of the evidence considered and the reasons for the decision.

26.6.5 The decision of the Governing Body's Pay Appeals Committee is final and there is no recourse to the staff grievance procedure.

26.6.6 The Headteacher shall be entitled to attend, for the purposes of providing information and advice, all proceedings of the Pay Committee and the Pay Appeals Committee.

The procedures for the conduct of Pay Review and Pay Appeal meetings are set out in Appendix B.

The appeal process for the headteacher is similar to above, except that the questioning of the initial decision would be directed to the Headteacher's Pay committee.

27. OVERPAYMENTS/UNDERPAYMENTS

27.1 Every effort will be made to make accurate salary and other payments on the due date. However, should an overpayment or underpayment occur the Governing Body will seek to recover/refund the amount,

limited to 4 years of overpayment (except in cases of wilful misrepresentation or omission by the employee).

27.2 Employees are expected to draw to the attention of the headteacher any overpayment or underpayment as soon as possible.

27.3 In the case of overpayments, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought about a reasonable repayment schedule. In the absence of such an agreement the school will determine a recovery schedule, usually through deductions not exceeding 5% of the monthly gross pay. Recovery may not be pursued if it would involve expenditure disproportionate to the amount overpaid.

27.4 Recovery of overpayments/refund of underpayments will be pursued in the case of former employees.

APPENDIX A TERMS OF REFERENCE – PAY COMMITTEES

HEADTEACHER’S PAY COMMITTEE

Delegation of Function

The Governing Body shall establish a Headteacher’s Pay Committee to deal with all pay and performance matters relating to the Headteacher and to implement the approved Pay Policy in respect of the Headteacher’s pay.

Clerking

The meeting of the Headteacher’s Pay Committee should not be clerked by a Governor of the school, an Associate Member, a member of the Committee or the Headteacher.

Membership

The Headteacher’s Pay Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees at the school or Associate Members.

Quorum

Three Governors.

Terms of Reference

- To undertake the performance management process in respect of the Headteacher, in accordance with The Education (School Teacher Performance Management) (England) Regulations 2006, including the agreement, monitoring and review of performance management objectives.
- To determine the salary of the Headteacher.
- To agree the appropriate Individual School Range within which the Headteacher’s salary should fall.

The Headteacher and/or his/her representative are able to make representations in writing or in person to the Headteacher’s Pay Committee if they wish to do so.

The Governing Body will receive the report of the Headteacher’s Pay Committee in the confidential section of the agenda .

STAFF PAY COMMITTEE

Delegation of Function

The Governing Body shall establish a Staff Pay Committee to deal with all pay matters relating to staff other than the Headteacher and to implement the approved Pay Policy in respect of staff pay.

Clerking

The meeting of the Staff Pay Committee should not be clerked by a Governor of the school, an Associate Member, a member of the Committee or the Headteacher.

Membership

The Staff Pay Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees at the school or Associate Members.

The Headteacher may attend all proceeds of the Pay Committee for the purposes of providing information and advice.

Quorum

Three Governors.

Terms of Reference

- To determine the salary of each member of staff at the school (with the exception of the Headteacher's salary), taking account of any recommendations made by the Headteacher/Performance Management Reviewer, in accordance with the approved pay policy.
- To determine appropriate salary ranges for advanced skills teachers and members of the leadership group (with the exception of the individual school range for the Headteacher's salary).

STAFF PAY APPEALS COMMITTEE**Delegation of Function**

The Governing Body shall establish a Staff Pay Appeals Committee to deal with all appeals against pay decisions, including appeals related to Performance Management Planning/Review Statements.

Clerking

The meeting of the Staff Pay Appeals Committee should be minuted.

Membership

The Staff Pay Appeals Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees at the school or Associate Members or members of the Headteacher's or Staff Pay Committees..

The headteacher may attend all proceedings of the Pay Committee for the purposes of providing information.

Quorum

Three Governors.

Terms of Reference

- To determine formal appeals against pay determinations in accordance with the Appeals Procedure set out in the School's Pay Policy.

APPENDIX B(i) HEARING PROCEDURE

REVIEW OF PAY UNDER PARAGRAPH 26.4.2 and 26.5.2 OF THE PAY POLICY

The hearing should be attended by the employee, his/her representative if required, the Headteacher/Performance Management Reviewer and the Pay Committee (Headteacher's Pay Committee in the case of review of Headteacher's pay decision)

1. Introductions.
Opening remarks
 2. Member of staff or representative to present case (and call witnesses if appropriate)
Pay Committee to ask questions of the member of staff and/or representative
 3. Headteacher/Performance Management Reviewer to be invited to make comments
Pay Committee and employee or representative to ask questions of the headteacher
 4. Employee and headteacher to withdraw
Pay Committee makes decision
-

APPENDIX B(ii) HEARING PROCEDURE PAY APPEAL

UNDER PARAGRAPH 26.6 OF THE PAY POLICY

The hearing should be attended by the employee, his/her representative if required, a representative of the Pay Committee and the Pay Appeals Committee. The Headteacher should attend to provide information and advice.

1. Introductions and opening remarks
2. Pay Committee Representative to respond (and call witnesses if appropriate)
Member of staff and/or representative to ask questions
Pay Appeals Committee to ask questions
3. Member of staff and/or representative to present case (and call witnesses if appropriate)
Pay Committee Representative to ask questions
Pay Appeals Committee to ask questions
4. Pay Committee Representative to make closing statement
5. Employee or representative to make closing statement
6. Both parties withdraw to allow Pay Appeals Committee to consider their decision
7. Either both parties invited back to hear decision or the decision will be communicated in writing within 48 hours.

APPENDIX C ARRANGEMENTS FOR DETERMINATION OF PROGRESSION

on the Upper Pay Scale, the Leadership Scale and the Advanced Skills Teacher Scale

Progression on the Upper Pay Scale

To achieve progression on the Upper Pay Scale, the School Teachers' Pay and Conditions Document (STPCD) requires that the achievements of a post-Threshold teacher and their contribution to their school(s) have been substantial and sustained. In making judgements against this criterion and in determining whether there should be progression the Governing Body will consider the following :-

1. Whether the teacher has continued to meet the threshold standards;
2. Whether the teacher has grown professionally by developing their teaching expertise post threshold.

In addition, for teachers eligible to progress from UPS2 to UPS3, the Governing Body will consider whether the following statutory definition of an Upper Pay Scale Point 3 (UPS 3) teacher has been met, in considering whether there has been sufficient professional growth:-

3. UPS 3 teachers play a critical role in the life of the school. They provide a role model for teaching and learning, make a distinctive contribution to the raising of pupil standards and contribute effectively to the work of the wider team. They take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning.

To achieve progression there will need to have been two successful consecutive performance management reviews, other than under exceptional circumstances (see paragraph 5.2 (iv) of this Policy).

A successful performance management review involves a process of:-

- a. Performance Management objectives;
- b. Classroom observations ;
- c. Other evidence.

Note : The Governing Body expects that a teacher's performance objectives will define what needs to be achieved to demonstrate that 1 and 2 (and where applicable 3) above have been satisfied.

The process for arriving at a recommendation about progression on the Upper Pay Scale will be as follows :-

- A performance management cycle will be established which provides for the annual review to take place by 31 October.
- Each year, performance objectives will be agreed, or in the absence of agreement set, with each teacher under the School's Performance Management arrangements.

- Performance will be reviewed throughout the year and early discussion will take place where an employee's performance is not meeting the standards for salary progression.
- The following year the extent to which these objectives have been achieved will be reviewed under the School's Performance Management arrangements (including progress towards addressing any areas for personal development identified as part of either the Threshold Assessment process or the Performance Management process).

The following will also be reviewed :-

- The outcome of classroom observations ;
- Any other evidence.
- Where appropriate, due account will be taken of performance at other schools.

Progression on the Leadership Pay Scale

To achieve progression on the Leadership Pay Scale, the School Teachers' Pay and Conditions Document (STPCD) requires individuals to have demonstrated sustained high quality performance. In making judgements against this criterion and in determining whether there should be progression the Governing Body will consider whether the leadership scale individual has grown professionally by developing their leadership and (where relevant) teaching expertise.

In addition, the Governing Body will consider whether the following description of a leadership scale teacher has been met, in considering whether there has been professional growth:-

- Those on the leadership spine play a critical role in the life of the school. They inspire those around them and work with others to create a shared strategic vision which motivates pupils and staff. They take a lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have confidence and ability to make management and organisational decisions and ensure equity, access and entitlement to learning.

To achieve progression (and for the above to be satisfied) there will need to have been a successful performance management review.

A successful performance management review involves a process of:-

- d. Performance Management objectives;
- e. Classroom observations ;
- f. Other evidence.

Note : The Governing Body expects that a teacher's performance objectives will define what needs to be achieved to demonstrate that the individual has grown professionally by developing their leadership and (where relevant) teaching expertise.

The process for making decisions/recommendations about progression on the Leadership Pay Scale will be as follows :-

- A performance management cycle will be established which provides for the annual review to take place by 31 October (by 31 December for headteachers).
- Each year, performance objectives will be agreed, or in the absence of agreement set, with each leadership scale teacher under the School's Performance Management arrangements.
- Performance will be reviewed throughout the year and early discussion will take place where an employee's performance is not meeting the standards for salary progression.
- The following year the extent to which these objectives have been achieved will be reviewed under the School's Performance Management arrangements (including progress towards addressing any areas for personal development identified as part of the Performance Management process).

The following will also be reviewed :-

- The outcome of classroom observations (where relevant) ;
- Any other evidence.
- Where appropriate, due account will be taken of performance at other schools.

Progression on the Advanced Skills Teacher (AST) Pay Scale

To achieve progression on the AST Pay Scale, the School Teachers' Pay and Conditions Document (STPCD) requires individuals to have demonstrated sustained high quality performance. In making judgements against this criterion and in determining whether there should be progression the Governing Body will consider whether the Advanced Skills Teacher (AST) has grown professionally by developing their teaching expertise and their performance of their AST professional duties.

In addition, the Governing Body will consider whether the following description of an AST has been met, in considering whether there has been professional growth:-

- ASTs play a critical role in the life of the school. Through their own excellent teaching and their work with other teachers, or on whole school projects, they play a leading role in enhancing the quality of teaching and learning throughout the school. Their outreach work opens the school to wider relationships which can enrich the experiences and raise the performance of both colleagues and pupils. Their outreach work also benefits and is of great value to the wider teaching community.

To achieve progression there will need to have been a successful review of overall performance.

A successful performance management review involves a process of:-

- a. Performance Management objectives;
- b. Classroom observations ;
- c. Other evidence.

1. *Note : The Governing Body expects that a teacher's performance objectives will define what needs to be achieved to demonstrate that the individual has grown professionally by developing their teaching expertise and their performance of their AST professional duties.*
2. *In order to take outreach work into account in determining whether there should be any movement up the AST pay scale, the Governing Body will ensure that good systems are in place to monitor and evaluate this.*

The process for arriving at a recommendation about progression on the AST Pay Scale will be as follows :-

- A performance management cycle will be established which provides for the annual review to take place by 31 October.
- Each year, performance objectives will be agreed, or in the absence of agreement set, with each AST under the School's Performance Management arrangements.
- Performance will be reviewed throughout the year and early discussion will take place where an employee's performance is not meeting the standards for salary progression.
- The following year the extent to which these objectives have been achieved will be reviewed under the School's Performance Management arrangements (including progress towards addressing any areas for personal development identified as part of the Performance Management process).

The following will also be reviewed :-

- The outcome of classroom observations ;
- Any other evidence.
- Where appropriate, due account will be taken of performance at other schools.

APPENDIX D STAFFING STRUCTURE

Staffing Structure

School to insert diagram of staffing structure.

This must include all pots, including salary ranges where appropriate and for TLRs the value and nature of significant responsibility.

For further information, additional copies of this document or to pass on your comments, please contact:

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