

# Whole School Pay Policy

September 1

# 2015

Produced by Personnel Team – Schools  
August 2015

School:

THOMAS GRAY PRIMARY SCHOOL

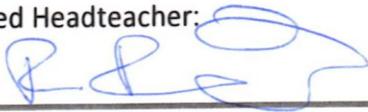
Signed Chair of Governors:

A. P. Taylor

Date:

1/12/16

Signed Headteacher:



Date:

01/12/16

Review date :- Autumn 2019.

## **SECTION 1**

### **1. Statement of Intent**

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

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

### **2. Equalities Legislation**

The governing body will comply with relevant equalities legislation:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010

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

See paragraph 7 'governing body obligations' in relation to monitoring the impact of this policy.

### **3. Equalities and Performance Related Pay**

The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, eg an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.

### **4. Job Descriptions**

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

## 5. Access to Records

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

## 6. Appraisal

The governing body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the school's appraisal policy). Although the school will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (ie application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review.

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

## 7. Governing Body Obligations

The governing body will fulfil its obligations to:

- **Teachers:** as set out in the School Teachers' Pay and Conditions Document (the Document) and the Conditions of Service for School Teachers in England and Wales (commonly known as the 'Burgundy Book').
- **Support staff:** the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book) and in keeping with Sefton Council's Job Evaluation Scheme.

The governing body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified. The governing body will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see paragraph 13 'Procedures') and the school's budgetary requirements.

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

## 8. Head Teacher Obligations

The head teacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the governing body for approval;

- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- submit pay recommendations to the governing body and ensure the governing body has sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

## **9. Teachers' Obligations**

A teacher will:

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

## **10. Differentials**

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

## **11. Discretionary Pay Awards**

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

## **12. Safeguarding**

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

## **13. Procedures**

The governing body will determine the annual pay budget on the recommendation of the pay committee (see annex 2), taking into account paragraph 19 of the Document. The Governing Body will aim to ensure that appropriate funding is allocated for pay progression for all eligible teachers in the spirit of this pay policy.

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

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;

- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- to work with the head in ensuring that the governing body complies with the Appraisal Regulations 2012 (teachers).

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

#### **14. Annual Determination of Pay**

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

#### **15. Notification of pay determination**

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

#### **16. Appeals procedure**

The governing body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). This is set out at annex 3 of this policy.

## SECTION 2

### 1. Head Teacher Pay

#### Pay on appointment

For appointments on or after 1 September 2015, the governing body will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the head teacher (Part 7) and in accordance with paragraphs 9.1 to 9.4 and paragraphs 8 to 28 of the section 3 guidance:

the pay committee will review the school's head teacher group and the head's range in accordance with paragraphs 5,6 and 8 (ordinary school), or paragraphs 5,7, and 8 (special school);

- if the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set a range in accordance with the provisions of paragraphs 11 and 12 of the guidance Section 3
- the pay committee will have regard to the provisions of paragraph 9.4 and will also take account of any other 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 pay committee will consider the need to award any temporary payments to a head teacher in line with paragraph 10.1 to 10.3
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 10.4. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

#### Serving head teachers

The governing body will determine the salary of a serving head teacher as follows

- the pay committee will review the head teacher's pay in accordance with paragraph 11.1 to 11.2(f)
- the pay committee may determine the head's range within the group range for the school, as at 1 September 2015 or at any time if they consider it is necessary as determined in paragraph 4.1 to 4.3 and paragraph 8 of guidance Section 3.
- if the head teacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a temporary payment under paragraph 10 and paragraphs 16 to 23 of guidance Section 3.
- the pay committee will consider the use of temporary payments, as per the provisions of paragraph 10.1 to 10.3.
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in

paragraph 10.4. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

## **2. Deputy/Assistant Head Teachers**

### **Pay on appointment**

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

- the pay committee will determine a pay range in accordance with paragraph 9.1 and 9.4 of the Document, taking account of the role of the deputy/assistant head teacher set out at paragraph 50 of the Document;
- the pay committee will record its reasons for the determination of the deputy/assistant head pay range, in accordance with paragraph 10 of the guidance Section 3;
- the pay committee will exercise its discretion under paragraph 27 of the Document where there are recruitment issues.

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

- the pay committee will review pay in accordance with paragraphs 11 pay progression where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;
- the pay committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher (paragraph 10 of section 3 guidance);
- the pay committee may determine the deputy head pay range at any time in accordance with paragraph 31 of the document pursuant with the discretionary provisions of that paragraph and to maintain differentials;

## **3. Leading Practitioner Posts**

The governing body will take account of paragraph 16.1 of the Document when determining the role of leading practitioner in this school. Additional duties will be set out in the job description of the leading practitioner and will include:

- a leadership role in developing, implementing and evaluating policies and practices in the school that contribute to school improvement;
- the improvement of teaching schools within school [and within the wider school community] which impact significantly on pupil progress;
- improving the effectiveness of staff and colleagues, particularly in relation to specific areas such as Numeracy, Literacy and Computing.

## **Pay on appointment**

The pay committee will determine a pay range of £38,598 to £58,677 from minimum to maximum for each leading practitioner post in accordance with paragraph 16.3 of the Document; and paragraphs 33 to 37 of the section 3 guidance.

## **Pay determinations with effect from 1 September 2015**

The head teacher will agree appraisal objectives for the leading practitioner.

The pay committee shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 11 of the Document.

The pay committee will take account of other evidence. The evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is an exemplar of teaching skills, which should impact significantly on pupil progress, within school and within the wider school community, if relevant;
- has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
- is highly competent in all aspects of the Teachers' Standards;
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

## **4. Acting Allowances**

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

Any teacher, who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid no lower than the minimum of the respective pay range for as long as the acting allowance is paid.

## **5. 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, 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 be given information about the basis on which it was made.

Where a pay determination leads to a period of safeguarding in accordance with paragraph 31, the Governing Body will give the required notification as soon as possible and no later than one month after the date of determination as set out in paragraph 33.1 of the document.

## **6. Basic Pay Determination 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.

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

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school. However, in order to secure the best possible appointment, the Governing Body may wish to exercise its discretion to recognise previous experience and pay.

## **7. Pay Progression Based on Performance**

Pay progression will be awarded in accordance with paragraph 19 of the document. 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. The arrangements for teacher appraisal are set out in the school's appraisal policy.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. In this school we will ensure fairness by:

- Performance management / Appraisal,
- Observation formats being the same,
- Work scrutiny feedback against the same criteria.

The evidence we will use will include:

- Pupil Progress,
- Lesson observations,
- Self-assessment.

Teachers' appraisal reports will contain 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.

In this school, judgements of performance will be made against:

- Lesson observations,
- Appraisals – whether targets have been met,
- Work scrutiny,
- Pupil Progress.

and teachers will be eligible for pay progression if

- A teacher has met their targets.
- This will be based on absolute performance measures. (Annex 4)

## **8. Movement to the Upper Pay Range**

### **Applications and Evidence**

Any qualified teacher may apply to be paid on the upper pay range and any such application 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.

One application may be submitted annually. The closing date for applications is normally 31<sup>st</sup> August each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:

- The teacher must complete the school's application form
- The application form and the supporting evidence must be submitted to the head teacher by the cut-off date of 31<sup>st</sup> August.
- The teacher will receive notification of the name of the assessor of his/her application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the pay committee of the relevant body;
- The application, evidence and recommendation will be passed to the head teacher for moderation purposes, if the head teacher is not the assessor;
- The pay committee will make the final decision, advised by the head teacher;
- The teacher will receive written notification of the outcome of their application after the full Governors in the Autumn term. Where the application is

unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).

- Oral feedback which will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- Successful applicants will move to the minimum of the Upper Pay Range on 1 September of the following year.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at appendix 3 of this pay policy

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.

### **The Assessment**

The teacher will be required to meet the criteria set out in paragraph 15 of the Document, namely that:

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

In this school, this means:

“highly competent”: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

“substantial”: the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

“sustained”: the teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (see exceptions in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

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

## **9. Part time 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.

#### **10. Short Notice/Supply Teachers**

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

#### **11. Pay Increases Arising from Changes to the Document**

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time.

Main Pay Range, Upper Pay Range, Unqualified Pay Range and Leadership Pay Range are at Annex 1

#### **12. Monitoring the Impact of the Policy**

The Governing Body will monitor the outcomes and impact of this policy each year, including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.

## **SECTION 3**

### **Non-teaching Support Staff**

#### **1. Appointments**

Through a staffing structure for non-teaching support staff, the Headteacher and the Governing Body will ensure that every member of staff is aware of his or her contribution to the successful organisation of the school. Every member of the support staff will have an up-to-date job description. The structure of the posts and job descriptions will be reviewed and re-evaluated regularly. Any changes will be made in consultation with the members of staff concerned.

Re-evaluation of posts will always take place as vacancies arise to ensure that replacement post meet the changing needs of the school.

For new appointees the Pay Review Committee, having regard to any advice issued by the LA, will determine the appropriate point on the pay scale, having regard to:

- the demands of the post as described in the job description;
- relevant qualifications and/or experience; and
- recruitment/retention needs of the post

#### **2. Pay scales and progress**

The Pay Review Committee will determine all pay by reference to the National Joint Committee, Conditions of Service for Local Government Services grading structure and pay rates.

Increments will be paid on the 1<sup>st</sup> April each year until the maximum of the scale is reached.

An increment may be withheld following an adverse performance report on a member of staff who is subject to formal capability procedure. (The employee would have the right to appeal to the appropriate staffing committee of the Governing Body). Any increment withheld may be paid subsequently and backdated if the employee's performance becomes satisfactory.

#### **3. Acting up**

When a member of staff temporarily covers all of the work of an absent colleague or covers a vacancy on a continuous basis for more than four weeks and the work covered is of a higher grade, a fixed term contract should be awarded for the duration at the minimum scale point of the higher grade.

**Pay Ranges from 1<sup>st</sup> September 2015 to 31 August 2016 including Discretionary Reference Points**

**Main Pay Range**

Minimum	22,244
Reference point 1	24,002
Reference point 2	25,932
Reference point 3	27,927
Reference point 4	30,128
Maximum A	32,509
Maximum B	32,831

**Upper Pay Range**

Minimum	35,218
Reference point 1	35,870
Reference point 2	36,523
Reference point 3	37,197
Maximum	37,871

**Unqualified Pay Range**

Minimum	16,298
Reference point 1	18,194
Reference point 2	20,088
Reference point 3	21,984
Reference point 4	23,881
Maximum	25,776

**In this school these pay ranges will apply to those teachers who have met minimum appraisal expectations in the academic year 2014/15 otherwise the previous years pay scales will apply as set out at Annex 1b except for the statutory exemptions**

**Leadership Pay Range from 1 September 2015 to 31 August 2016 including discretionary reference points**

\*Scale points to be applied only to head teachers at the top of the school group range in the academic year 2014/15, indicating no uplift for 2015/16

1	38,598
2	39,564
3	40,552
4	41,562
5	42,597
6	43,665
7	44,841
8	45,876
9	47,021
10	48,228
11	49,481
12	50,620
13	51,886
14	53,180
15	54,503
16	55,951
17	57,237
18 *	58,096
18	58,677
19	60,131
20	61,623
21*	62,521
21	63,147
22	64,715
23	66,318
24*	67,290
24	67,963
25	69,652
26	71,375
27*	72,419
27	73,144
28	74,958
29	76,814
30	78,726
31*	79,872
31	80,671
32	82,676
33	84,731
34	86,825
35*	88,102
35	88,984
36	91,187

37	93,454
38	95,766
39*	97,128
39	98,100
40	100,548
41	103,060
42	105,642
43	107,210

**Leadership Group Pay Ranges**

Group 1	£43,665 – £58,096
Group 2	£45,876 - £62,521
Group 3	£49,481 - £67,290
Group 4	£53,180 - £72,419
Group 5	£58,677 - £79,872
Group 6	£63,147 - £88,102
Group 7	£67,963 - £97,128
Group 8	£74,958 - £107,210

**In the event of pay progression being withheld the teacher will remain on pay applicable from 1 September 2014 with the following statutory exemptions:**

- 1% uplift to the minima of all pay ranges
- 1% uplift to the maxima of the Upper Pay Range, Unqualified Range

**Main Pay Range**

Minimum	22,244
Reference point 1	23,764
Reference point 2	25,675
Reference point 3	27,650
Reference point 4	29,829
Maximum	32,187

**Upper Pay Range**

Minimum	35,218
Reference point 1	35,515
Reference point 2	36,161
Reference point 3	36,829
Maximum	37,871

**Unqualified Pay Range**

Minimum	16,298
Reference point 1	18,013
Reference point 2	19,889
Reference point 3	21,766
Reference point 4	23,644
Maximum	25,776

## **Annex 2**

### **1. The Pay Committee**

The Governing Body shall establish a Pay Committee every year as part of its sub-committee structure.

The Pay Committee shall have fully delegated powers to consider and decide all matters relating to staff pay in accordance with the relevant legislation and guidance, and in accordance with relevant School policies and in accordance with The School Governance (Procedures) (England) Regulations 2003 SI No. 2003/1377 as amended.

The Pay Committee shall consist of Governors elected annually by a quorate meeting of the Full Governing Body, together with the Headteacher, or their representative, in an advisory capacity

A quorum for the Pay Committee shall be, as per legislation, a minimum of 3 Governors.

If the Pay Committee loses a member or finds itself in difficulty over maintaining a quorum, the Full Body may appoint, at a quorate meeting, appropriate new members to the Pay Committee at any time of the year

No person employed to work at the School, or anyone closely related to such a person, shall be eligible to serve on the Pay Committee other than the Headteacher in the capacity described above

No Governor may serve on the Pay Committee and the Appeals Committee

No Governor may serve on the Appeals Committee and the Appointed Governors

The Pay Committee may invite other persons to serve in an advisory capacity should they deem it necessary to support the discharge of their responsibility in respect of certain tasks

The Pay Committee shall be advised by the 'Appointed Governors' when considering the Headteacher's pay and any prospective movement along the pay spine

The Pay Committee shall communicate details of all processes relating to specific pay issues to all staff, in writing, in an appropriate manner, and communicate in writing all decisions relating to the pay of individual employees to those individuals privately and personally

### **2. The Role of the Pay Committee**

The Pay Committee shall:

Apply the School Pay Policy on behalf of the Governing Body and ensure compliance with statutory obligations in respect of pay and conditions of service

related to pay

Review the pay of all staff annually

Ensure that job descriptions are provided for all staff

Ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the Headteacher) each year

Provide an Annual Pay Statement for all staff based upon their situation on September 1<sup>st</sup> and issued before October 31<sup>st</sup>.

Provide an interim Pay Statement for any member of staff whose situation changes during the year

Where a pay determination leads or may lead to the start of a period of safeguarding, the required notification will be given as soon as possible and no longer than one month after the date of determination

Consider and make decisions relating to the levels of pay associated with specific posts, including both existing posts through the process of annual review and any new posts proposed by the Headteacher

Receive recommendations from the Appointed Governors in respect of the Headteacher's performance pay review

Receive recommendations from the Headteacher in respect of all other staff's performance pay reviews including Threshold Assessment

Hear and consider any representations from staff regarding pay related decisions prior to a formal appeal

### **3. The Pay Committee and the Annual Pay Review**

In conducting the Annual Pay Review the Pay Committee shall:

- Publish the date of the Annual Pay Review meeting to all staff at least 10 working days before the meeting
- Inform all staff of the process to be followed by any employee wishing to make representations to the Annual Pay Review view the ISR and the pay ranges for other members of the Leadership Team
- Communicate in writing decisions in respect of any representations considered in the Annual Pay Review to the employee making the representation.
- Inform the Finance Committee of any budgetary implications of the outcomes of the Annual Pay review

#### **4. Appeals**

The arrangements for considering appeals shall be as follows:

The Governors shall establish annually, at a quorate meeting of the Full Body, an Appeals Committee who are not on either the Pay Committee or the Appointed Governors. The quorum for the Appeals Committee shall be 3. The Appeals Committee has fully delegated powers to adjudicate appeals related to pay and conditions of service relating to pay

An employee may seek a review of any determination in relation to their pay or any other decision taken by the governing body, or a committee or individual acting with delegated authority, that affects their pay

The following list includes the usual reasons for seeking a review of a pay determination:

- incorrect application of any provision of any relevant policy or regulation, including statutory policies, regulations and guidance and any policies of the Governors
- failure to take account of relevant evidence
- taking account of irrelevant or inaccurate evidence
- bias
- discrimination

This list neither exclusive nor exhaustive

#### **The order of proceedings shall be as follows:**

- a. the employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made
- b. if not satisfied, the employee seeks to resolve the matter informally with the decision-maker within 10 working days of the decision. If this is impractical the employee may move onto step c. Below
- c. the employee 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 10 working days of the notification of the decision being appealed against, or of the outcome of the discussion referred to in b. above
- d. the committee or person who made the determination should provide a hearing within 10 working days of receipt of the written grounds for questioning the pay decision, to consider this submission, and to provide the employee with an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal
- e. an appeal against the original determination will normally be heard within 28 working days of the written appeal notification. The employee will be told of their right to be accompanied by a Trade Union representative or a work colleague

- f. the appeal shall follow the agreed appeals procedure outline at Annex 3

## **1. Model Appeals Procedure**

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

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

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

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal Appeal Hearing Procedure. Appeal Hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

## **2. Appeal Hearing Procedure**

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

## **3. Guidance**

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

#### **4. Appeal Procedure Steps: Informal Stage**

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

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

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

This will invoke the Formal Stage of the Appeal Procedure.

#### **5. Appeal Procedure Steps: Formal Stage**

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

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

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

#### **6. The Modified Procedure**

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

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

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

**Pay progression based on performance**

**Absolute performance measures**

In this school judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to pupil progress, their curriculum area and their wider contribution to the work of the school.

The rate of progression will be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria.

Teachers will be eligible for a pay increase of £x if they have met all of their targets, are assessed as fully meeting the relevant teacher standards, and all of their teaching is at least good with some outstanding areas.

## Further Sources of Information

### Useful resources and external organisations

#### Appraisal

Appraisal arrangements in England from September 2012 (including the Department's optional model policy):

- [Teacher appraisal and capability a model policy for schools](#)

Appraisal arrangements in Wales (including model policy template):

- [Performance management for Headteachers, teacher and unattached teachers](#)

#### Standards

The Teachers' Standards (which apply in England) and Practising Teacher Standards (which apply in Wales) can be found in Annex 1 of the STPCD 2014. More information is available at

- [Teachers' standards in England](#)
- [Revised professional standards for education practitioners in Wales](#)
- **Equalities Issues**
- Links to advice on the Equalities Act 2010
- [The Equalities and Human Rights Commission \(EHRC\)](#)
- [The Equality Act 2010: advice for schools](#)
- [EHRC guidance for employers on the Equality Act 2010](#)
- [EHRC Publication – Equal Pay: Statutory Code of Practice](#)
- **Ofsted expectations**
- 
- Ofsted's expectations on quality of teaching - see paragraphs 149 – 152 of the [School Inspection Handbook from September 2015](#)
- 
- Ofsted's expectations on quality of leadership and management - see paragraphs 136 - 148 of the [School Inspection Handbook from September 2015](#)