

Solihull MBC

**Lady Katherine Leveson C
of E Primary School
Pay Policy**

**Teaching Staff
2008/2009**

**(Local Authority Pay
Policy Framework)**

This supersedes all previous Pay Policy documents:

June 2008, when formally adopted, to whom the policy applies, all staff will be issued/notified where a copy of the Pay Policy can be obtained (specify where) annually.

Signed.....Chair of Governors

Date.....

Revised April 2008

LADY KATHERINE LEVESON C OF E PRIMARY SCHOOL

SCHOOL PAY POLICY – TEACHING STAFF

(1st September 2007 – 31st August 2008)

1 INTRODUCTION

- 1.1 This policy affirms the commitment of the Governing Body to ensure that its statutory responsibility in relation to pay is undertaken within the legal framework, in compliance with the provisions of the appropriate Conditions of Service and having regard to their responsibilities under employment and equalities legislation.
- 1.2 The Pay Policy must be read in conjunction with the current School Teachers' Pay and Conditions Document (STPCD), and accompanying statutory guidance; the provisions of the Conditions of Service for School Teachers in England and Wales ("Burgundy Book") for Teaching Staff, the School Staffing Regulations 2003 and the Education (Review of Staffing Structure) Regulations 2005.
- 1.3 This School's Pay Policy has been based upon the National Model Pay Policy for School's, incorporating the Local Authority Pay Policy Framework. Consultation on the development of this Pay Policy has been undertaken with the staff of the school and representatives of their Teacher Associations.
- 1.4 Guidance notes are attached. Further advice can be obtained from the Local Authority Human Resources and Equalities Division.
- 1.5 This Pay Policy is recommended for adoption by the Governing Body.

Summary of main changes to teachers' pay and conditions since 2006

Pay scales, payments and allowances have been increased by 2.45 % from 1 September 2007.

Revised professional standards have been introduced for post-threshold teachers, excellent teachers and advanced skills teachers (these are set out in Annex 1 of the School Teachers' Pay and Conditions Document 2007);

Closer links between performance management/appraisal arrangements and pay decisions have been introduced. (except in respect of unqualified teachers and the annual increment for main scale teachers). In Wales the changes are

effective from 2007; in England they are effective from 1 September 2008 after the first reviews take place under the new English performance management regulations.

Fast track teachers are now included in the usual working time limits for teachers of 195 days/1265 hours, and therefore special references to them have been removed from the School Teachers' Pay and Conditions Document.

2 PRINCIPLES OF THE POLICY

2.1 The Pay Policy, shall operate in the context of the school budget and is based upon the following principles:-

2.1.1 Legal Obligations

The Governing Body recognises the requirement to comply with the law, including not only employment law but also the statutes. The Governing Body will carry out its legal obligations in relation to pay in accordance with the STPCD 2007 for teachers.

2.1.2 School Improvement Plan

To ensure the pay policy reflects and supports the aims of the Integrated School Development Plan.

2.1.3 Commitment to Staff

The Governing Body recognises the value, commitment, support and goodwill of the staff at the school by using the pay policy to:

- Ensure fair, justifiable decisions about pay within the agreed policies and procedures
- Recognise the importance of the discretionary elements of pay in relation to matters of recruitment, retention, motivation and reward
- Maintain a properly remunerated management structure within the school that reflects the levels of responsibility that employees undertake
- Maintain and develop a working environment in which all employees have the opportunity for career development and work life balance.
- Value the performance and contribution of every employee both individually and collectively to the benefit of the school

3 EQUAL OPPORTUNITIES

3.1 The Governing Body is committed to equal opportunities for all staff and will aim to ensure that:

- Promotion opportunities which become available within the school are advertised and open to all staff
- There is a commitment to career development through professional development, in particular that associated with the performance management process
- Opportunities to undertake additional responsibilities that merit (or may merit) additional remuneration will be published within the school
- The principles of equal pay for work of equal value will be applied
- Pay related decisions shall be taken in compliance with the [The Race Relations Act 1976](#), [The Sex Discrimination Act 1975](#) and 1986, [The Equal Pay Act 1970](#), [The Disability Discrimination Act 1995](#), [The Employment Rights Act 1996](#), [The Employment Relations Act 1999](#) and [The Employment Act 2002](#), [The Part-Time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#), [The Employment Act 2002 \(Dispute Resolution\) Regulations](#), [The Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), [The Employment Equality \(Age\) Regulations 2006](#), [The Employment Equality \(Sexual Orientation\) Regulations 2003](#), and [The Employment Equality \(Religion and Belief\) Regulations 2003](#).

The Governing Body should be able to monitor in respect of the above and report as necessary.

4 EQUAL PAY

4.1 The school's staffing structure will be reviewed, as required, in relation to equal pay legislation. This review will cover in particular:

- the pay structure within the school in relation to the levels of responsibility undertaken by staff
- salary differentials

4.2 The staffing structure shall be published as an Annex to the School Pay Policy.

4.3 Care will be taken to ensure that part-time, fixed-term and temporary staff have the same rates of pay as would be attached to similar responsibilities or work of equal value undertaken by full-time and permanent staff.

- 4.4 The Headteacher will arrange for regular review of all job descriptions. Job descriptions will be revised as and when necessary in light of the changing needs of the school through consultation between the Headteacher and individual employees and in accordance with STPCD (including the professional standards and the performance management procedure).
- 4.5 Additional responsibilities undertaken on a temporary basis, whether for a particular task, or to cover for an absence or vacancy, may be rewarded by additional payment in accordance with the relevant national pay scales having regard to the level of additional responsibility undertaken. In particular the Governing Body / Pay Committee will comply with the statutory requirements relating to acting allowances for employees acting as Headteacher, Deputy Headteacher or Assistant Headteacher (See Annexe 4 – A13f). An acting role, for which additional payment accrues, is deemed to be undertaken if the substantive post-holder is absent from his / her post for longer than X weeks or a period of time determined by the Governing Body.
- 4.6 Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own.

5 PART TIME WORKING

Part-time employees will be paid on a pro rata basis. The Governing Body will ensure that its treatment of part-time employees is consistent with the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 e.g. part-time teachers have a contractual entitlement to PPA time pro-rata to full-time teachers.

6 FIXED-TERM WORKING

- 6.1 The Governing Body will ensure that the employment and treatment of fixed-term contract employees is consistent with the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

7 SUPPLY TEACHING

- 7.1 Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements pro-rata of full-time teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.5 hours (1265/195) to arrive at the hourly rate.

- 7.2 **Relief and Short-term Notice Teaching (STPCD Guidance)**

Some teachers are employed on a day to day or other short notice basis. Such teachers are paid on a daily basis, calculated on the assumption that a full working year consists of 195 days. There is no statutory provision regarding the length of their working day but the Secretary of State considers it should be 6.5 hours of working time (including an allowance for duties other than teaching pupils).

8 ROLES AND RESPONSIBILITIES

8.1 Governing Body

- To ensure a review of the school staffing structure is undertaken in line with the Integrated School Development Plan (retain a copy for reference in the appendix).
- To recognise the requirement to set a legal budget in their adoption and implementation of the Pay Policy.
- Governing Body should determine whether to retain all pay decisions or delegate all pay decisions to a Pay Committee.
- To determine what amount should be identified within the schools budget for discretionary pay awards.
- To ensure that appropriate arrangements are in place within the school for the implementation of the pay policy, for approving and reviewing pay progression including the threshold assessment process and dealing with individual appeals that may arise regarding pay matters.
- To monitor the overall distribution of awards and their impact upon the policy.
- To ensure that all members of staff are made aware of the pay policy and the arrangements in place to implement it.
- To establish a framework to review the Headteacher's targets and performance objectives on an annual basis.
- To ensure that staff receive an annual pay statement of salary (spreadsheet provided by Local Authority).

8.2 The Headteacher

- To ensure that in consultation with line managers, each employee is set standards and agreed targets (where practicable) on an annual basis,

assessing performance in line with the STPCD and the School's Performance Management Policy.

- To act with integrity within the best interests of the school and to maintain confidentiality where required.
- To manage the threshold assessment and performance management processes.
- To review performance management information and report recommendations to the Governing Body on pay progression.
- To ensure arrangements are in place for informing staff of pay matters.
- To consult with staff and their Union representatives on the review of the school staffing structure.

8.3 **All Employees**

- To participate fully in the agreed performance management process and in accordance with the Pay Policy.
- To be committed to their own personal development and job performance.

9 SALARIES OF LEADERSHIP GROUP

9.1 When a new Headteacher is to be appointed, a 7-point Individual Salary Range (ISR) for the Headteacher shall be set in accordance with the criteria specified in the STPCD (size and circumstances of the school, social economic and cultural background of the pupils, recruitment and retention issues). The ISR will normally be set within the school's group range, but may be assigned to a group up to 2 groups higher than the group in which the school is placed on the basis of its unit total, in accordance with the STPCD. The appointing panel will place the successful applicant on whichever of the four bottom points of the ISR it deems appropriate. The Governing Body notes the discretion to adjust the ISR of a serving head on the grounds of retention and reserves the right to apply this discretion as and when this may prove necessary. Such a determination may be made at any time of the year.

9.1.2 In addition the Governing Body may adjust/review the ISR of a serving Headteacher, (to take effect from 1 September) in accordance with the STPCD to retain a Headteacher or to reflect a significant change in responsibility and job weight. The ISR may be set up to school groups higher than the appropriate group for the school (as determined by school's unit total).

9.1.3 The Governing Body shall ensure the minimum of the ISR;

- Is at least one point higher on the leadership scale than the maximum of the pay range of any Deputy or Assistant Headteacher at the school
- Shall not be less than the next leadership group pay spine point above the salary of the highest paid classroom teacher*

*The salary of the highest paid classroom teacher is the sum of:

- a) the value of point 1 on the Upper Pay Scale
- b) the value of any Teaching and Learning Responsibility Payment awarded to the highest paid classroom teacher or Management Allowance up until 31 December 2008.
- c) The value of any Special Education Needs Allowance awarded to the highest paid teacher at the school

9.1.4 The Governing Body shall formally record its decision on the school's ISR together with the rationale for that decision.

9.1.5 The salary for a Headteacher shall be reviewed annually in the Autumn Term, taking account of performance objectives previously agreed and one or two points may be awarded for sustained high quality of performance.

9.1.6 In accordance with school Recruitment and Selection Policy the Governing Body has overall responsibility for all staff appointments in the school. However all appointments, apart from those relating to the head, deputies and assistant heads, have been formally delegated to the headteacher (or – and the Chair of Governors)

9.2. Deputy Headteacher

9.2.1 The Governing Body / Pay Committee shall determine the 5 consecutive point pay range for a deputy head when a new appointment is to be made or where there is a significant change in responsibilities, in accordance with the criteria specified in the STPCD – job weight and challenge, the circumstances of the school and any recruitment difficulties. The Governing Body / Pay Committee will place a newly appointed deputy on whichever of the bottom three points of the range it deems appropriate.

9.2.2 In determining the pay range, the Governing Body / Pay Committee shall ensure that the minimum of the Deputy Headteacher pay range shall not be less than the next leadership group pay spine point above:-

- the salary of the highest paid classroom teacher (as defined by UPS1),
- the minimum of the Assistant Headteacher pay range of the highest paid Assistant Headteacher at the school.

- 9.2.3 The Governing Body / Pay Committee shall ensure that the maximum of the Deputy Head pay range shall not equal or exceed the minimum of the ISR of the Headteacher.
- 9.2.4 The Governing Body shall review the ISR and the range of any Deputy Headteacher at the school annually in the autumn term (to take effect from 1st September) on the basis of job weight and responsibility.
- 9.2.5 The ranges of any Deputy Headteacher may be reviewed at any time on retention grounds.
- 9.2.6 The salary for a Deputy Headteacher shall be reviewed annually, taking account of performance objectives previously agreed and one or two points may be awarded for sustained high quality of performance.

9.3 **Assistant Headteacher**

- 9.3.1 The Governing Body / Pay Committee shall determine the 5-point range of an Assistant Headteacher when a new appointment is to be made or where there is a significant change in responsibilities, in accordance with the criteria in the STPCD. – job weight and challenge, the circumstances of the school and any recruitment difficulties. The Governing Body / Pay Committee will place a newly appointed assistant headteacher on whichever of the bottom three points of the range it deems appropriate.
- 9.3.2 In determining the pay range, the Governing Body / Pay Committee shall ensure that the minimum of an Assistant Headteacher pay range shall not be less than the next leadership group pay spine point above:-
- the salary of the highest paid classroom teacher (as defined by UPS1), plus the value of any management and SEN allowance. The Governing Body / Pay Committee may in addition take into account the value of any recruitment and retention payments made to the highest paid teacher.
- 9.3.3 The Governing Body shall review the ISR and the ranges of any Assistant Headteacher at the school annually in the autumn term (to take effect from 1st September) on the basis of job weight and responsibility.
- 9.3.4 The ranges of any Assistant Heads may also be reviewed at any time on retention grounds.
- 9.3.5 The salary for an Assistant Headteacher shall be reviewed annually, taking account of performance objectives previously agreed and one or two points may be awarded for sustained high quality of performance.
- 9.3.6 For information on acting allowances see 16.5

10 ADVANCED SKILLS TEACHERS

10.1 The Governing Body, which appoints an Advanced Skills Teacher, shall determine a pay range consisting 5 consecutive points on the pay spine for Advanced Skills Teachers.

10.2.1 When determining the pay range, the relevant Body shall have regard in particular (but not exhaustively) to the following criteria and any further guidance issued by the DCSF

- the nature of the work to be undertaken, including any work with the teachers of other schools;
- the scale of the challenges to be tackled
- the professional competencies required of the postholder
- any relevant recruitment or retention considerations
- the status of the grade as an alternative to posts paid on the leadership spine
- the need for an appropriate pay increase in relation to appointees previous employment
- Whether the post would or would not have attracted an allowance (e.g. for SEN)

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

10.2.3 The relevant Body shall agree performance criteria with the advanced schoolteacher and review performance against those criteria.

10.2.4 An Advanced Skills Teacher is ineligible for management or special needs allowance.

11 CLASSROOM TEACHERS

11.1 The Governing Body / Pay Committee shall determine the salary for individual teachers on appointment or promotion in accordance with the current STPCD, the School Pay Policy and in the light of the recommendations from the Headteacher.

11.2.1 The Governing Body / Pay Committee shall ensure that each teacher's salary is reviewed with effect from 1st September and by no later than 31st October each year and that each teacher is given a written statement setting out their salary and other financial benefits to which they are entitled.

11.2.2 The Governing Body / Pay Committee shall set a procedure and timetable for the annual determination of salaries, **including a date** by which the relevant decisions will be made, which will be published to staff. The annual determination shall be undertaken without undue delay.

11.2.3 In determining the salaries of teachers, the committee shall follow the mandatory provisions of the STPCD and shall exercise its discretionary powers within the parameters of that document as set out below and guidance issued by the DCSF and in line with the School Pay Policy.

11.3 **Newly Qualified Teachers**

11.3.1 Newly qualified teachers shall commence at point M1 of the Teachers Main Scale (but note provisions below regarding experience).

11.4 **Experience – Mandatory Points**

11.4.1 The Governing Body shall recognise all teaching service including holiday periods, periods of maternity leave, parental leave and sick leave for the award of experience points. This equates to one extra point on the main scale for each school year as a school teacher.

11.4.2 The discretion to discount the previous year of service because of unsatisfactory service will, only be exercised where formal competency procedures have begun. The Governing Body may decide to award an experience point for the year's service at any later date.

11.5 **Experience - Discretionary Points**

When placing a classroom teacher on the main scale, the Governing Body will *consider* awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points in the following circumstances:

- One point on the main scale for each year of service as a qualified teacher in an Academy, a City Technology College, a City College for the Technology of the Arts or an Independent School.

- One point on the main scale for each period of two years of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned.

- One point on the main scale for each period of one year of service teaching in further education, including sixth form colleges.

- One point on the main scale for each period of one year of service teaching in higher education.

The Governing Body will consider awarding on a case by case basis:

- One point on the scale for each period of three years spent outside teaching but working in a relevant area (capped at scale point three). This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people.

- 11.5.1 Further advice on the awarding of points can be obtained from the Local Authority Human Resources and Equalities Department.
- 11.5.2 The Governing Body may award an additional point on the main scale where a teacher has demonstrated excellent performance over the previous academic year, having regard to all aspects of the teachers' professional duties but in particular classroom teaching.

12 THRESHOLD AND UPPER PAY SPINE

12.1 Threshold Assessment Process

- 12.1.1 The Governing Body has legal responsibility for the threshold process but shall delegate the receipt and assessment of applications to the Headteacher.

The Headteacher will notify all eligible teachers at the start of the school year of their eligibility to apply for performance threshold assessment and that teachers should apply normally no later than 31st August in that year.

- 12.1.2 The Headteacher shall assess teachers at the top of the main pay scale, who apply to go through the performance threshold to gain access to the upper pay scale, against standards set by the DCSF.

- 12.1.3 The Headteacher shall promptly notify the Governing Body (Governing Body / Pay Committee) of his/her decision on the application when it has been assessed.

In accordance with para 11.2.1 of this policy, all assessments will be carried out no later than 31st October.

- 12.1.4 The Governing Body will place any teacher who has been successful in the assessment for threshold process (as detailed in DCSF guidance and STPCD) on to the Upper Pay Scale.

- 12.1.5 The Headteacher shall give feedback to all threshold applicants, no later than 20 working days of informing the Governing Body of his/her decision.

- 12.1.6 In the case of unsuccessful applicants, the Headteacher shall give written feedback on the outcome of the application and other relevant information in accordance with guidance from DCSF.

12.2 Upper Pay Scale Progression

- 11.2.1 Progression through the Upper Pay scale is at the discretion of the Governing Body. This discretion shall be exercised in accordance with the requirements of the STPCD, guidance issued by the DCSF (Annex 1) and the School's Performance Management Policy.

13 EXCELLENT TEACHERS

- 13.1 The Governing Body shall make appointments to Excellent Teachers Posts, as identified within in the School Staffing Structure.

14 UNQUALIFIED TEACHERS

- 14.1 The Governing Body will exercise its discretion to place any unqualified teacher on appointment on the appropriate point on the unqualified teacher's scale, taking into account any relevant qualifications and experience. Unqualified teachers will be appointed above the minimum point on the scale in the following circumstances:

Qualifications:

- One point for a recognised overseas teaching qualification.
- One point for a recognised post-16 teaching qualification.
- One point for a recognised qualification relevant to their subject area.

Unqualified teachers on employment based routes into teaching such as GTP may be paid on the qualified or unqualified teachers' scale.

- One point on the unqualified teachers' scale for each period of one year of service teaching in higher education.

The Governing Body will consider awarding on a case by case basis:

One point on the unqualified teachers' scale for each period of three years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people.

* Unqualified teachers will only be appointed in the absence of qualified teachers to fill vacancies.

15 GTC FEE ALLOWANCE

- 15.1 Payment shall be made in accordance with the STPCD. This fee is paid to teachers in addition to their salary.

16 ALLOWANCES

- 16.1 **Teaching and Learning Responsibility Payments (TLR)**

TLRs have replaced management allowances, but may co-exist during a transitional phase, which will end at the latest by 31 December 2008, at which point all safeguarding of management allowances will cease.

16.1.2 TLRs may only be awarded for permanent posts in the context of the school's staffing structure and pay policy and in accordance with the statutory provisions of the STPCD.

16.1.3 Detailed in the school network is a copy of the School Staffing Structure. The School Staffing Structure identifies posts within the school staffing structure, and where a TLR is applicable to that post, the value of that TLR.

16.2 Recruitment and Retention Payments

16.2.1 The Governing Body **shall** make such payments to a teacher, as they consider necessary as an incentive for the recruitment of new teachers or retention of existing teachers (and these payments shall be determined and stipulated in the policy).

16.2.3 The Governing Body shall determine the value of such award for recruitment and/ or retention. Such awards will be equivalent to the value of 1 point on the main scale or leadership scale, depending on what scale the teacher is on.

16.2.4 At the time that a recruitment and retention payment is made, the level of the award shall be confirmed in writing detailing the basis upon which it is made.

16.2.5 Where an award is made for recruitment purposes, this shall be for a fixed term period, not exceeding 3 years and shall not be renewed.

16.2.6 Where an award is made for retention purposes, this shall be for a fixed term period, not exceeding 3 years and may in exceptional circumstances be renewed.

16.2.7 The Governing Body should specify clearly the basis on which such incentives may be paid (e.g. to all teachers; to those in shortage subjects as defined by the school; or after one/two advertisements have failed to produce a suitable candidate for appointment).

16.3 Special Education Needs Allowance

16.3.1 The Governing Body shall award special needs allowance 1 to a classroom teacher: -

In a special school: or

In an ordinary school who is engaged wholly or mainly:

- (a) In teaching pupils with statements of special educational needs in designated special classes; or
- (b) In taking charge of special classes consisting wholly or mainly of children who are hearing impaired or visually impaired

17.4.2 The Governing Body may exercise its discretion to award a special needs allowance in recognition of a particular contribution to the work of the school where SEN is concerned, above and beyond what might be expected of a classroom teacher.

17.4.3 The Governing Body may award special needs allowance 2 to a classroom teacher, who is already in receipt of special needs allowance 1 and who has experience and/or qualifications which the Governing Body considers are particularly relevant to the teachers work with special educational needs pupils.

17.4.4 At the time that a discretionary allowance is awarded, the award shall be confirmed in writing detailing the specific level and the reason for the allowance.

18.5 Acting Allowances

18.5.1 The Governing Body is advised to take the advice of the Local Authority in the case of a teacher who is assigned and carrying out the duties of a Head, Deputy Head or Assistant Head..

18.5.1 A teacher who carries out the duties of Head, Deputy Head or Assistant Head for a period of 12 weeks or more (but no less than 1 week), will be paid no lower than the minimum leadership spine point payable for the post in which the teacher is acting determined, in accordance with the STPCD.

18.5.2 The acting allowance will be paid from or backdated to the time when the Governing Body decides that the teacher performs tasks that require the full authority of the post to be exercised.

18.5.3 Acting Allowances for non-leadership team teachers will be paid from or backdated to the time when the Governing Body decides that the teacher performs tasks that require the full authority of the post to be exercised.

19 ADDITIONAL PAYMENTS

19.1 The Governing Body will not make such payments as they see fit to a teacher, including a Headteacher, in respect of;

- Continuing professional development undertaken outside of the school day.

- Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school.
- Participation in out-of-school hours learning activity agreed between the teacher and the Headteacher, or in the case of the Headteacher, between the Headteacher and the Governing Body.

20 IN-SERVICE TRAINING – WEEK ENDS AND HOLIDAYS

The Governing Body will not encourage attendance at in service training at weekends or in holidays and will not therefore need to avail itself of the discretion to compensate teachers for such attendance.

21 PERFORMANCE PAY

The Education (School Teacher Performance Management)(England) Regulations 2006 came into force on 1 September 2007 for teachers in England, this outlines the basis for the performance management of teaching staff. Reference should be made to the Performance Management Policy for Teachers and Headteachers (Model Policy, June 2007). Solgrid:

<http://www.business.solihull.int/schoolshr/policies-teachers-page.htm>

21.1 Pay Reviews

The Governing Body will 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 head teacher) each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled. Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination.

21.2 Headteacher/Leadership Group

- 21.2.1 The Governing Body shall seek to agree performance objectives directly with the Headteacher through those Governors appointed for that task and where required, with the assistance of an external adviser.
- 21.2.2 The Governing Body shall ensure that all leadership group members have performance objectives relating to school leadership and management, professional practice and pupil progress.
- 21.2.3 The Governing Body shall ensure that the performance of leadership group members is reviewed annually in the light of previously set or agreed performance objectives and in accordance with the STPCD and guidance from DCSF (see Annexe 2).
- 21.2.4 The Governing Body may award performance points in accordance with the STPCD. Annual pay progression within the range for this post is not automatic. The Governing Body will consider whether to award one or two pay progression points. The circumstances in which two points may be awarded are as follows: **where the performance of the Headteacher or leadership group member exceeds that of meeting their job description and achieving their targets and has significant whole school impact, resulting in school improvement**
- 21.2.5 Any review of performance objectives for head teachers set prior to 1 September 2007, or any cases where these regulations do not apply, will be carried out as required under paragraph 7.2 of the School Teachers' Pay and Conditions Document 2007 and under paragraph 13.3 (deputies) or 15.3 (assistant heads) of the School Teachers' Pay and Conditions Document 2007.

21.3 **Teaching Staff**

- 21.3.1 All members of the teaching staff are required to participate in arrangements made for their appraisal, in accordance with their conditions of employment The Education (School Teacher Performance Management England) Regulations 2006 and the Schools Performance Management Policy.
- 21.3.2 Relevant information from appraisal statements for the teacher may be taken into account by the Headteacher and the Governing Body (or committee of Governing Body) in taking decisions, and in advising those responsible for taking decisions, on the use of any discretion in relation to pay.
- 21.3.3 Main scale classroom teachers will receive one extra point for each year of satisfactory performance. Those subject to formal capability proceedings may be deemed unsatisfactory performers, but the Governing Body still has discretion to determine that such a person receive a point.
- 21.3.4 A classroom teacher may be awarded an extra point on the main scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching. At Lady Katherine Leveson C of E Primary school, this means **where the**

teacher has achieved outstanding teaching consistently (according to classroom observations undertaken by members of the leadership group), resulting in 100% of pupils making 4 or more points' progress.

Annual pay progression within the range for these posts is not automatic. The Governing Body will consider whether to award one or two pay progression points. The circumstances in which two points may be awarded are as follows: **where the performance of the member of staff exceeds that of meeting their job description and achieving their targets and has significant whole school impact, resulting in school improvement**

21.3.5

22 PAY DETERMINATION PROCESS AND APPEAL PROCEDURE

22.1 The Governing Body, in determining and publishing its pay policy, aims to ensure that all decisions taken on pay and remuneration are justifiable and fair.

22.2.1 The Governing Body / Pay Committee shall receive information and recommendations from the Headteacher/ Line Manager regarding pay matters/awards. Before that Committee meets to consider the recommendations, a teacher may discuss their individual situation with the Headteacher and provide the Headteacher with further supporting information for both the Headteacher and the Governing Body / Pay Committee to consider.

22.2.2 The Governing Body / Pay Committee shall consider any written supporting information provided and the recommendation of the Headteacher /Line Manager. The employee shall be informed of the outcome in writing. Where the outcome is not successful, the employee shall also be informed of the reasons for that decision. The teacher may informally discuss the outcome with the Headteacher.

22.2.2 Where the matter can not be resolved informally, the teacher may follow the formal appeal process.

22.2.3 The teacher shall set down in writing, the grounds for questioning the pay decision and send it to the Governing Body / Pay Committee, normally within 10 working days of being informed in writing of the pay decision.

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

That the Committee by whom the decision was made;-

- a) incorrectly applied any provision of the STPCD
- b) Failed to have proper regard for the statutory guidance
- c) Failed to take proper account of the relevant evidence
- d) Took account of irrelevant or inaccurate evidence
- e) Was biased
- f) Otherwise unlawfully discriminated against the Teacher

- 22.2.5 The Governing Body / Pay Committee shall provide a hearing, normally within 10 working days of receipt of the written submission from the teacher, to consider this and to give the teacher the opportunity to make representations in person. The teacher may be accompanied by a Teacher Association representative or colleague. The teacher shall be informed in writing of the decision and the right to appeal.
- 22.2.6 If the matter is not resolved, the teacher may appeal in writing to the Governors Appeals Committee, normally within 10 working days of being informed of the decision
- 22.2.7 The appeal shall be heard by a panel of Governors, who were not involved in the original determination, normally within 20 working days of receipt of the written appeal notification. The teacher may be accompanied by their Teacher Association representative or a colleague.
- 22.2.8 The decision of the Appeal Panel shall be given in writing, and where the appeal is rejected, will include a note of the evidence considered and the reasons for the decision.
- 22.2.9 Pay appeals decisions are final and binding on both parties and may not be reopened under the grievance procedure. Grievance procedures should not be used for appeals against pay decisions.

23	POLICY REVIEW AND CONSULTATION
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- 21.1 The Governing Body shall review its pay policy regularly in order to ensure that the policy continues to comply with the law, promotes good personnel practice and in particular to take account of pay awards, changes in national agreements Governing pay, the school improvement plan and the school's budget.
- 21.2 It shall undertake such reviews in consultation with staff, including school representatives of the recognised Teacher Associations and Trade Unions.

Annexe 1

Application of Upper Pay Scale Progression criteria – clarification

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.

The following paragraphs refer to all teachers seeking to progress to the Upper Pay Scale.

To achieve progression, the School Teachers Pay and Conditions Document (STPCD) requires that the achievements of post threshold teachers and their contribution to school(s) should have been substantial and sustained. To be fair and transparent, judgements must be properly rooted in evidence and there must have been a successful review of overall performance.

Progression on UPS should be based on two successful consecutive performance management reviews other than under the exceptional circumstances set out in the STPCD.

A successful performance review as prescribed by the appraisal regulations involves a performance management process of

- Performance objectives
- Classroom observation
- Other evidence

To ensure that the achievements and contributions have been substantial and sustained, that performance review will need to assess that the teacher has

- Continued to meet threshold standards and
- Grown professionally by developing their teacher expertise post threshold
- Met the professional standards of a post threshold teacher.

Annexe 2

Application of Leadership Group Pay Progression criteria – Clarification

Those on the leadership spine play a critical role in the life of the school. They should inspire confidence in those around them and work with others to create a shared strategic vision, which motivates pupils and staff. They are expected to take the lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have the confidence and

ability to make management and organisational decisions and ensure equity, access and entitlement to learning.

To achieve progression, the School Teachers Pay and Conditions Document (STPCD) requires individuals on the leadership spine to have demonstrated sustained high quality performance. To be fair and transparent, judgements must be properly rooted in evidence and there must have been a successful review of overall performance.

A successful performance review, as prescribed by the appraisal regulations will involve a performance management process of

Performance objectives
Classroom observation (where relevant)
Other evidence

To ensure that there has been high quality performance, the performance review will need to assess that the teacher has grown professionally by developing their leadership and (where relevant) teaching expertise.

Annexe 3

Criterion and factors for the award of Teaching and Learning Responsibility Payments and Values

Criterion and factors for award of TLRs

Criterion

A Teaching and Learning Responsibility payment (“TLR”) may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context

of the school's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which he is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

Factors

Before awarding a TLR, the relevant Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that -

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

Before awarding a TLR 1, the relevant Body must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

Values

The values of TLRs must fall within the following ranges:

- a) the annual value of a TLR1 is £6,829 - £11,557;
- b) the annual value of a TLR2 is £2,364 - £5,778.

If the relevant Body awards TLRs of different values to two or more teachers, the minimum difference in value between each award of a TLR1 is £1,500; and between each award of a TLR2 is £1,500. Details of TLRs to be awarded at the school will depend on the outcome of the review of the staffing structure and the timing of introduction will be in line with the implementation plan.

A teacher may not hold more than one TLR of any value, but a TLR could be based on a job description that itemises several different areas of significant responsibility.

Annexe 4

ADDITIONAL GUIDANCE NOTES to SCHOOL PAY POLICY

- A.1 The attached document is a framework from which each school can establish their own pay policy for teaching staff. It is recognised that each school pay policy will need to reflect the uniqueness of the school and the individual circumstances.
- A.2 The statutory pay arrangements for teaching staff contain significant discretionary elements and these are highlighted in the policy. It is important that there is an understanding of how decisions are made on these elements. The Governing Body in adopting a pay policy will need to determine which discretionary elements are included in their school pay policy.

A.3 The framework should be read in conjunction with the supplementary advice detailed in Annexe A of the School Teachers Pay and Conditions Document. The Document guidance recommends that the pay policy for teaching staff should explain: -

- the school's mechanism for taking decisions on pay
- the basis on which discretionary payments will be made
- arrangements for deciding discretionary performance points

It is important that in producing the School Pay Policy, consultation with employees and their representatives should take place.

A.4 The framework should also be read in conjunction with the current School Teachers Pay and Conditions Document (STPCD), the provisions of the Conditions of Service for School Teachers in England and Wales (“Burgundy Book”) for Teaching Staff, the School Staffing Regulations 2003 and the Education (Review of Staffing Structure) Regulations 2005.

A.5 The application and interpretation of a pay policy pay matters and conditions of employment can be both difficult and complex. Further advice on these issues can be obtained from the Local Authority Human Resources and Equalities Section.

Governing Body / Pay Committee

A.6 As detailed in the framework, the Governing Body needs to make appropriate arrangements for the implementation of its pay policy. The Governing Body is advised to delegate the implementation of its pay policy to an appropriate committee (e.g. the Pay Committee) and to provide a mechanism for responding to appeals that may be made by individual employees.

A.7 In order to ensure parity with other parts of the pay policy, the appropriate committee should deal with the salaries of all employees in the school.

A.8 Whilst the Governing Body may delegate the implementation of all aspects of their policy to a committee, they may also make other arrangements. In particular, they are advised to delegate the application of certain aspects of the policy, especially those requiring immediate attention and communication such as the starting salary of new appointments, to the Headteacher. The Governing Body, by adopting a policy, will have decided how it wishes to exercise its discretionary powers, so that the Headteacher will be applying the Governing Body's published intentions in individual cases.

A.9 The constitution, membership and proceedings of the committee shall be subject to the requirements of the Education (School Government) Regulations 1999 and any amending Acts in determining the terms of reference.

- A.10 It is strongly recommended that the Governing Body specify a quorum for the committee. If a quorum is not specified all members of the committee will have to meet in order to make effective decisions.
- A.11 The Governing Body needs to decide who will act as clerk to the committee and who will ensure that reports from the committee are made to the Governing Body.
- A.12 The committee has a duty to advise the Governing Body on the school's pay policy and for updating it.
- A.13 The Committee shall implement the following parts of the school's pay policy, as adopted by the Governing Body:
- (a) set internal procedure and dates to provide for annual determination of the salaries of all teachers including the date by which relevant decisions will be made in the school with effect from 1st September as required by the School Teachers' Pay and Conditions Document, to be undertaken in September or as soon as possible thereafter.
 - (b) ensure that, at or near the beginning of each school year, (or as stated in the School Performance Management Policy), when reviewing performance objectives agreed under the School Teachers' Pay and Conditions Document for teachers on the leadership spine in the previous school year, new objectives are agreed for the current year to be reviewed in the following Autumn;
 - (c) ensure that the Headteacher has in place arrangements and criteria for the threshold assessment and progression of post-threshold teachers up the upper pay scale and the award of performance points on the main pay scale in accordance with the STPCD. These arrangements to be published, and made available, to all teachers in the school;
 - (d) ensure that all teachers are advised of the threshold arrangements, including the deadlines for threshold applications and details of Upper Pay spine progression;
 - (e) to receive and consider recommendations from the Headteacher regarding pay matters/awards
 - (f) determining remuneration for employees undertaking additional responsibility on a temporary basis at the direction of the Governing Body or the Headteacher acting on the Governing Body's behalf;
 - (g) to ensure that records are maintained in an appropriately confidential manner, by the Clerk to the Governing Body or the Headteacher as appropriate, of all matters relating to pay;
 - (h) to monitor the impact of pay awards on the Policy and report to the Governing Body

(i) to communicate approved decisions to the Local Authority;

A.14 The committee must also follow the requirement that any person employed to work at a school, other than the Headteacher, shall withdraw from a meeting during discussion of the pay of a particular employee and that the Headteacher shall also withdraw when his or her own pay is discussed.

Appeal Process /Committee

A.15.1 The first stage of the formal process is heard by Governors of the Governing Body / Pay Committee, or committee that made the decision regarding the pay. This would normally involve up to 3 Governors. Although the Headteacher is in attendance, he/she is not a member of that Committee hearing the case.

A.15.2 The Pay Appeal Committee shall be set up to hear appeals regarding pay matters. The Appeals Committee shall comprise 3 members of the Governing Body, who were not members of the Governing Body / Pay Committee and involved in the original decision on pay. Whilst the Headteacher is in attendance at the hearing, he/she is not a member of the Appeal Panel hearing the case.

A.16 Appeal decisions should be given in writing. Where an appeal is rejected, the decision should be given in writing including the reason for that decision

A.17 The decision of the Pay Appeal Committee is final.

Conflict of Interest

A.18 Teacher Governors and Staff Governors are not allowed by the Regulations to be present when the performance or pay of any other employee at the school is being discussed or considered and will not be allowed to be a member of the Pay Committee. (At Lady Katherine Leveson C of E Primary School, this Pay Committee is the Human Resources and Finance Committee)

Confidentiality

A.19 It is important that all matters relating to the performance of staff and individual salary details are treated as confidential. When such confidential items are discussed in the meetings of a Committee or the full Governing Body, they will be recorded in the confidential section of the minutes.

