



Staff Pay Policy

Originator: Jude Macdonald
September 2020

September 2020 Pay Award

The minimum and maximum of the pay ranges and allowances for the September 2020 pay award are set out in the STPCD 2020.

- 1.1. Decisions about teachers' pay progression must be linked to the Appraisal and Capability Policy.
- 1.2. The Resources Committee will operate the Pay Policy as the 'relevant body', as defined in the STPCD, and for the pay arrangements agreed for all the support staff which will:
 - Grade posts appropriately within the conditions of employment identified in the current STPCD and the conditions of service for support staff employed by the Resources Committee.
 - Ensure that the annual appraisal of all teaching staff, including those absent from duty for any reason, is fairly and properly conducted in accordance with the School's Appraisal Policy as soon as possible, by 31 October 2020 at the latest; 31 December 2020 for the Headteacher.
 - Where a pay determination leads or may lead to the start of a period of safeguarding, the Resources Committee will give the required written statement of notification as soon as possible, and no later than one month after the date of the determination.
 - Ensure that discretion available under the STPCD is exercised in a fair and equitable manner.
 - Give recognition to assigned Teaching and Learning Responsibilities (TLR), whether for a permanent post, an acting period, or a temporary project.
 - Comply with the salary safeguarding arrangements in the current STPCD.
 - Ensure that an appropriate evaluation process is used to determine the salary range for members of support staff.
- 1.3. This policy statement will be available to the staff of the Resources Committee.

2. Delegation of Decision Making

2.1. Headteacher

- 2.1.1. Except where otherwise stated, the Resources Committee will delegate the day to day management of the policy to the Headteacher in consultation with the Chair of the Resources Committee. The Headteacher will report to the Resources Committee those occasions when the delegated responsibility has been

exercised in respect of the discretionary elements of the STPCD and the pay provisions for support staff.

2.1.2. The Headteacher shall make annual recommendations on the salary of all staff to the appropriate committee of the Resources Committee. This will include sufficient information for the Resources Committee to assess their position about the gender pay gap reporting requirements and public sector equality duty.

2.1.3. The Resources Committee requires that the Headteacher has regard to the budget approved by the Governing Body or trust and the requirements of employment legislation; in particular:

- The Equality Act 2010 (including requirements under the Public Sector Equality Duty and Gender Pay Gap reporting requirements)
- The Employment Rights Act 1996
- The Employment Relations Act 1999
- The Employment Act 2002
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The ACAS Code of Practice (section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992)
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Resources Committee expects the Headteacher to seek advice, where appropriate, from persons engaged by the Resources Committee to provide such advice.

2.2. An Appropriate Committee Structure

2.2.1. The Resources Committee will delegate to a committee of governors (hereafter referred to as the "Review Committee") decisions arising out of this policy and/or the Appraisal Policy. The number of governors on the committee shall normally be 5, of which at least 3 governors shall sit in rotation. No member of the Review Appeals Committee, referred to below, will be a member of the Review Committee.

2.2.2. The Resources Committee will delegate to a committee of governors (hereafter referred to as the "Review Appeal Committee") any appeals by individual employees against decisions of the Review Committee in 2.2.1 arising out of this

policy or the Appraisal and Capability Policy. The number of governors on the committee shall normally be 5, of which at least 3 governors shall sit in rotation. Any appeal will be dealt with before a final decision is reported to the Resources Committee.

- 2.2.3. Meetings of the Review Committee and the Review Appeal Committee will be convened by the Clerk to the Resources Committee. Such meetings will normally be arranged within 20 working days of the date the employee requests the meeting, and 5 working days' notice of the date and time of the meeting will be given.

2.3. Review of Recommendations to, or Decisions of, the Review Committee

- 2.3.1. Prior to making a salary recommendation to the Review Committee the Headteacher (or Chair of the Appraisal Review Committee in the case of the Headteacher) will inform the employee of their recommendation to the Review Committee and the date this Committee will be considering their recommendation.
- 2.3.2. Whilst there is no right of appeal to the Headteacher's recommendation, if the employee does not agree with the recommendation to be made, then they may provide a written statement to the Clerk of the Resources Committee which will be provided to the Review Committee to consider alongside the pay recommendation.

The statement provided by the employee must indicate the reason(s) why they disagree with the recommendation, and must fall within one or more of the following:

That the recommendation:

- incorrectly applied any provision of the appropriate salary and/or appraisal policy;
- in the case of a teacher, failed to have proper regard for statutory/contractual guidance of the STPCD;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the employee.

The employee will have a minimum of 5 working days' notice between the date they are informed of the recommendation and the date of the meeting of the Review Committee to provide this written statement. The Clerk of the Resources Committee will provide the Headteacher (or Chair of the Headteacher's Appraisal Review Committee, in the case of the Headteacher) with a copy of the written statement submitted by the employee prior to the meeting of the Review Committee.

- 2.3.3. The employee will be notified in writing of the decision made by the Review Committee and their right to meet with that Committee in person should they be dissatisfied with the outcome. The decision of the Review Committee will be provided to the employee in writing. The employee will be advised of the right of appeal against the decision of the Review Committee to the Review Appeal Committee (paragraph 2.4 below).

2.4. Appeals against Salary or Appraisal Decisions

- 2.4.1. The employee may appeal against the decision of the Review Committee within 5 working days of receipt of the determination by notifying the Clerk to the Resources Committee in writing of the reasons for the appeal, which must be as stated in paragraph 2.3.2 above.
- 2.4.2. The decision of the Review Appeal Committee shall be final. Once any appeal has been resolved, the final decisions regarding the assessment of salaries shall be reported to the Resources Committee.

2.5. Threshold Application

- 2.5.1. An application must be made by the first Friday of the first week of the Autumn Term to the Headteacher by email, stating the intention of the employee to progress.

A successful applicant will progress to a point* on the upper pay range determined by the Headteacher from 1st September from which progression to the upper pay range will be paid. This may be termly or annually.

* The policy may determine that successful applicants will progress to the minimum of the upper pay range or delegate discretion to the Headteacher to determine to which point on the upper pay range the successful applicant may progress. See Annex C.

A successful applicant will have demonstrated through the performance management process:

- that they are highly competent in all elements of the relevant standards; and
- that their achievements and contributions are substantial and sustained.

2.5.2. The Headteacher shall inform the teacher of the recommendation to be made to the Review Committee regarding the threshold application as soon as possible after the closing date has passed. The Headteacher shall provide oral feedback on the relevant criteria indicated or, in the case of an unsuccessful application, in writing on the original application form. Feedback shall also include advice on aspects of performance that would benefit from further development. The process to be followed where the employee does not agree with the recommendation is as outlined in paragraph 2.3.2 to 2.4.

2.5.3. Upper pay range decisions will only apply to posts under the employment of this Resources Committee.

2.6. Statement of Salary

2.6.1. Salary assessment forms will be issued to confirm salary determinations.

2.7. The Chair of the Resources Committee

2.7.1. The Chair of the Resources Committee will be available to the Headteacher for consultation on those matters of this policy delegated to the Headteacher. In this instance, the Chair of Resources Committee may not be a member of Review Committee or Review Appeal Committee.

2.8. The Appraisal Review Committee for the Headteacher Performance Review

2.8.1. The Resources Committee will delegate 3 governors to carry out the appraisal review for the Headteacher. The delegated governors may be supported by an external adviser appointed by the Resources Committee. The agreed performance objectives and indicators/measures may be referred for moderation to a meeting with the Chair of the Resources Committee.

2.8.2. It is the stated wish of the Resources Committee that the delegated governors should be appropriately trained.

3. Exercise of Discretion Under the STPCD

3.1. Starting Salary of New Classroom Teacher Appointments

3.1.1. When advertising a teaching post the Resources Committee, or delegated committee, will identify the range of salaries the Resources Committee is prepared to pay, subject to qualifications and experience. The Resources Committee will not normally agree to match current/previous salaries without first

considering the merits of the application and the salary of teachers employed by the Resources Committee.

Where the Headteacher or selection panel regards a teacher has relevant teaching experience, or non-teaching experience, which is **directly relevant** to the post being offered, then an appropriate salary will be offered within the advertised range.

- 3.1.2. The Headteacher will provide a statement for the appropriate committee of the Resources Committee detailing the reasons the salary has been awarded, together with the position on the appropriate range in the Resources Committee's salary structure.

3.2. Calculation of Part Time Teachers' Salaries

- 3.2.1. The Resources Committee will ensure that all part time teachers employed by the Resources Committee will have their salaries calculated in accordance with the STPCD and the "pro rata principle", except where a part time teacher is awarded a TLR3.
- 3.2.2. The Resources Committee will ensure that the total amount of time for which a part time teacher may be directed is calculated in accordance with the STPCD and the "pro rata principle".
- 3.2.3. All part time teachers will be advised of the way in which their salary and directed time are calculated.

3.3. Recruitment/Retention Incentives

- 3.3.1. The Resources Committee may have a policy about any payment of recruitment/retention incentives or benefits in accordance with paragraph 27 of the STPCD.
- 3.3.2. The Recruitment Policy adopted by the Resources Committee will be made known to employees and placed on the school website.

3.4. Staffing Structure

- 3.4.1. The Headteacher will annually recommend to the Resources Committee a staffing structure for the school that:
 - takes account of any financial limits determined by the Resources Committee or delegated committees;

- identifies the posts to which allowances will be allocated for permanent TLRs, in accordance with the requirements of the STPCD;
- will determine the value of any TLR post that is to be paid for a short-term period. A statement identifying a payment within the range for TLR3, the length of time for which it will be paid, and the reason for the short-term payment will be provided to the appropriate committee of the Resources Committee.
- identifies the level of allowance to be allocated to each permanent TLR post between the minimum and maximum limits set out for each TLR in the STPCD, and the different levels that may be paid within each TLR in the staffing structure in accordance with the STPCD;
- identifies the level of salary to be allocated to any Leading Practitioner posts together with the salary ranges to be assigned to each post;
- identifies posts to be paid on the leadership group pay range together with the salary ranges assigned to each post;
- Identifies any post to which a salary from the Special Educational Needs range of salaries will be allocated together with the level of each allowance to be paid; all new staff will be allocated a SEN value equivalent to one point.
- Identifies the staffing structure for support staff posts together with the evaluated salary range assigned to each post.

The staffing structure and pay ranges approved by the Resources Committee shall be published with this pay policy.

- 3.4.2. In the event that the recommendation contains changes in the staffing structure that will directly impact on staff employed by the Resources Committee, staff and recognised trade unions will be informed and consulted before the final salary structure is published.

3.5. Special Educational Needs

- 3.5.1. The Resources Committee will award an allowance to any teacher who satisfies the requirement of the STPCD, paragraph 21. **All new teaching staff will be awarded a SEN allowance.**
- 3.5.2. The post and allowance(s) will be identified in the staffing structure and will be spot salaries selected from the SEN range. The value of allowances should be based on whether any mandatory qualifications are required, other qualifications and expertise relevant for the post and the relative demands of the post.

3.6. Awards for Performance Progression to Teachers Paid on the Main Pay Range, the Upper Pay Range or Unqualified Teachers' Pay Range

Pay progression will be linked to assessment of performance, as determined under the Appraisal Policy.

- 3.6.1. At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the Review Committee will consider written recommendations from the Headteacher that a teacher be paid a higher salary on the classroom teachers' main pay range as determined by the Resources Committee, or the upper pay range, depending on which range the teacher is currently paid. The Headteacher will also provide written reasons why any teacher should not progress on either range.
- 3.6.2. Any recommendations for progression to a higher salary made by the Headteacher shall be in respect of the teacher's performance during the previous year measured against the performance review under the Resources Committee's Appraisal Policy, with particular reference to the achievement of objectives identified in their individual performance management objectives set at their last review.
- 3.6.3. Recommendations for increases in pay will be differentiated in order that any increase is clearly attributable to the performance of each teacher.
- 3.6.4. A teacher on the main pay range whose performance meets the criteria set out in the performance review could reasonably expect to reach the maximum of the range after five years. The Headteacher may recommend that there will be no progression on the range each year where the outcome of the appraisal does not warrant progression. A newly qualified teacher who achieves the required standards at the end of induction will normally progress to the second point on the main pay range from the following September in accordance with paragraph 2.3.
- 3.6.5. Where a teacher has been absent through long term illness or on maternity leave (or other long-term leave) the Headteacher will ensure that a performance review has been conducted. If a review cannot be conducted until the teacher returns to school, the Headteacher will ensure a review takes place following the teacher's return. If the recommendation is to pay the teacher on a higher salary on the appropriate pay range the award may be backdated to the date on which the award would normally have been paid.

4. The Leadership Group

4.1. Deputy and Assistant Headteachers

- 4.1.1. The Resources Committee, following consideration of the relevant criteria set out in the STPCD, will determine the pay range for a newly appointed deputy headteacher or assistant headteacher's salary.
- 4.1.2. At the time of appointing a new deputy headteacher or assistant headteacher the selection panel of the Resources Committee making the new appointment shall determine the salary point on the pay range. The selection panel shall have regard to advice available from persons engaged by the Resources Committee.

4.2. Awards for Performance to Deputy and Assistant Heads

- 4.2.1. At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the Review Committee will consider recommendations from the Headteacher that any deputy or assistant headteacher be paid additional points subject to the maximum of the their range. The Resources Committee expects that the objectives for a deputy or assistant headteacher will have become progressively challenging as the teacher has gained experience in the role.
- 4.2.2. Where there are substantial difficulties in retaining the services of a current deputy or assistant headteacher the Resources Committee may decide to change the salary range in accordance with the STPCD. Only in exceptional circumstances may the deputy or assistant headteacher's range overlap the headteacher's pay range.

5. Annual Assessment of the Salary of Teachers

5.1. Annual Assessments

- 5.1.1. On or before 1 September of each year, or as soon as possible thereafter, the Headteacher will carry out an annual assessment of salary for each teacher, including deputy and assistant headteachers, leading practitioners and unqualified teachers employed in the school.
- 5.1.2. The Review Committee will receive the pay recommendations from the Headteacher by 15 November of the current year at the latest, awards will be backdated to 1 September of the current year.

6. Determination of Leadership Group Salaries

6.1. Group of the School; Headteacher Pay Range (HTPR) and Pay Ranges for Other Members of the Leadership Group

- 6.1.1. For the purposes of determining the group of the school by which the HTPR is identified, the Resources Committee will re-calculate annually the appropriate unit total of the school.
- 6.1.2. The Resources Committee will assign the school to the appropriate Headteacher Group (HTG) whenever a new Headteacher is to be appointed and on such occasions as the Resources Committee sees fit. The Headteacher may make representations to the Review Committee to consider assigning the school to a new HTG.
- 6.1.3. If the Resources Committee changes the group of the school having re-calculated the unit total, the Resources Committee will identify a HTPR which will ensure that the minimum of the HTPR is not below the minimum of the salary range for the HTG.
- 6.1.4. The HTPR of the school shall be a range of consecutive salary points selected by the Resources Committee within the HTG range for the school.
- 6.1.5. The Recruitment Selection Committee, set up to appoint a new Headteacher, shall determine the salary point on the HTPR to be paid, ensuring that there is room for salary progression to be determined by subsequent performance. The Recruitment Selection Committee shall have regard to advice available from persons engaged by the Resources Committee.
- 6.1.6. If the Resources Committee agrees to the Headteacher also being made the Headteacher of another school on a permanent basis, the Headteacher's salary will be determined in accordance with STPCD 2020 (paragraph 6.6).
- 6.1.7. Where such a decision is made then the Resources Committee will also review the salary ranges of any other teachers affected by the arrangement by increased responsibilities. Where such arrangements are temporary the safeguarding provisions will not apply.
- 6.1.8. The pay ranges for a deputy or assistant headteacher shall be determined with reference to the school's HTPR as defined by the STPCD.

6.2. Annual Review of Headteacher's Salary

- 6.2.1. At the beginning of each academic year, or at any such time as the Resources Committee (in consultation with the Headteacher) may decide, the Appraisal Review Committee referred to in 2.8 will agree with the Headteacher or (in the absence of agreement) set performance objectives together with performance indicators/measures appropriate to each objective. The performance objectives will reflect priorities identified in the school's development plan.
 - 6.2.2. An external adviser appointed by the school will support the Appraisal Review Committee in carrying out the annual performance review of the Headteacher. The performance review and review statement will be conducted in accordance with the Resources Committee's Appraisal and Capability Policy.
 - 6.2.3. In the Autumn Term of each year, the Review Committee will receive recommendations from the Appraisal Review Committee (having consulted the Chair of Resources Committee, if they are not an appraisal review governor) regarding the salary of the Headteacher. The recommendation shall reflect the Appraisal Review Committee views based on the outcomes of the annual performance review and the Chair of Resources Committee's view of the Headteacher's overall performance during the year. Any recommendation for progression within the HTPR will identify the recommended number of points proposed. The Headteacher will be advised of the proposed recommendation and may make a written response to the recommendation.
 - 6.2.4. The recommendation for the Headteacher will be made in a written statement to the Review Committee, giving reasons for the recommendation and the level of salary that it is recommended should be paid from 1st September, including any additional payments as identified in the STPCD, paragraph 10. The Review Committee will consider the recommendation, together with any written response from the Headteacher, and inform the Headteacher in writing by providing a salary statement, by 31 December, to be backdated to 1 September. The Headteacher will not be entitled to attend the meeting of the Review Committee.
 - 6.2.5. If the Headteacher wishes to seek a review of the decision of the Review Committee regarding their pay, they may do so in accordance with the procedure set out in paragraph 2.3 of this policy. The Headteacher will have right of appeal against the decision of the Review Committee in accordance with the procedure set out in paragraph 2.4 of this policy.
- 6.3. **Determination of Discretionary Payments to Headteachers**
- 6.3.1. The Resources Committee may decide to pay additional payments to the Headteacher in accordance with paragraphs 10 of the STPCD.

- 6.3.2. Where a decision is made to increase the Headteacher's salary beyond the maximum of the appropriate HTG determined in accordance with paragraph 6.2.1 above, the total sum of all payments made to the Headteacher referred to in 6.2.1 will not exceed 25 per cent of the maximum of the HTG, except in wholly exceptional circumstances, which will be approved by the Resources Committee.
- 6.3.3. If it is considered necessary to exercise the provision set out in 6.2.1 above, the Resources Committee will take external independent advice in accordance with paragraph 9.3 of the STPCD before agreeing to such a decision.

6.4. Acting Up Allowances

- 6.4.1. If, during any absence of the Headteacher, Deputy or Assistant Headteacher or a TLR post holder, the acting appointment is made and maintained for a period then the Resources Committee will consider within four weeks of the acting appointment whether or not the teacher shall be paid an acting allowance calculated in accordance with 6.4.2 below. If no allowance is paid the Resources Committee may reconsider the position at any time.
- 6.4.2. In the prolonged absence of the Headteacher, a deputy headteacher, an assistant headteacher or a TLR post holder, the Resources Committee may appoint a teacher to act up during the absence of the post holder. From the date that the Resources Committee considers it necessary to make an acting appointment, an allowance will be paid equal to the difference between the salary currently paid to the person appointed to act up and a point considered appropriate by the Resources Committee. The relevant conditions of service detailed within the STPCD will apply to any person in receipt of such an acting allowance.

7. Unqualified Teachers

- 7.1. The Resources Committee may employ unqualified teachers/instructors in the school. Such unqualified teachers will be paid in accordance with paragraph 17 of the STPCD.
- 7.2. The point on the Resources Committee's unqualified teacher range, within the maximum and minimum of the range as set out in paragraph 17 of the STPCD, at which a new appointment will be paid, will be determined by the Headteacher, in consultation with the Chair of the Resources Committee, and will take account of the qualifications and experience considered to be relevant to the post.
- 7.3. In addition to the appropriate point on the unqualified teachers' pay range the Headteacher, in consultation with the Chair of the Resources Committee, may award an

additional annual allowance in accordance with paragraph 22 of the STPCD to a person appointed as an unqualified teacher who either takes on a sustained additional responsibility, which is focussed on teaching and learning and requires the exercise of a teacher's professional skills and judgement, or who the Headteacher and Chair of the Resources Committee believes has additional qualifications and/or experience to warrant such an award.

The Headteacher will report any award of such an allowance to the Review Committee of the Resources Committee.

- 7.4. The arrangements for salary progression and salary safeguarding for teachers also apply to unqualified teachers.

8. Salaries of Support Staff

- 8.1. On appointing a member of support staff the job description determined for the post will be evaluated in accordance with the adopted scheme. Advice on appropriate evaluation processes will be sought from persons engaged by the Resources Committee.
- 8.2. The Headteacher, in consultation with the Chair of the Resources Committee, will determine the appropriate point on the evaluated range having regard to:
- Relevant qualifications and/or competencies; and
 - Recruitment/retention needs of the school in respect of the post.

The decision of the Headteacher will be reported to the Review Committee.

- 8.3. If at any time the Headteacher, in consultation with the Chair of the Resources Committee, considers that a member of the support staff is being asked to undertake increased or decreased responsibilities on a permanent basis, the job description may be re-evaluated. If the evaluation provides for a higher salary, that salary will be paid to the post holder from a date determined by the Headteacher and, in the case of a temporary increase in responsibility, the date to which the new salary will be paid will also be stated. If the evaluation provides for a lower salary, the employee will be entitled to salary safeguarding for a period in accordance with Local Authority's policy for community schools. The new salary level will be reported to the Review Committee at its next meeting.
- 8.4. At the time of making the annual assessment of the teachers' salaries, the Headteacher may also make any recommendation to the Review Committee in respect of the salary of any member of the support staff. Where the Headteacher considers it appropriate, a recommendation to the Review Committee that a named member(s) of the support staff shall be awarded an honorarium for the excellence of their performance during the

previous year. The honorarium may either be paid as a lump sum payment at the next salary payment after the Review Committee's decision, or as a 1/12 increase in monthly salary over the next year.

- 8.5. If any member of support staff wishes to appeal against their salary level they may ask for a re-evaluation of their job description. If a member of the support staff decides to appeal against a decision of the Review Committee under paragraph 2.4 above, then they shall enter a formal written statement of appeal. The appeal shall be heard by the Review Appeal Committee referred to in paragraph 2.2.2 above.

9. Salary Sacrifice Scheme

- 9.1. The Resources Committee will support and encourage any salary sacrifice scheme as identified in the STPCD and made available by the Local Authority from which teachers or support staff employed in the school benefit where there is no additional cost to the Resources Committee's budget.**

10. Review of the Policy

- 10.1. The Resources Committee will review this policy annually, or on any occasion when it is requested to do so by the Headteacher.
- 10.2. The Resources Committee will consult with employees and the recognised trade unions at the time of the annual or any other review of the policy.

** Pay Bodies should be aware that there may be a cost if they continue to operate the salary sacrifice child care voucher schemes established prior to 5 October 2018 when an employee in receipt of child care vouchers is on maternity leave and is no longer receiving contractual pay.