



# **TEACHERS' PAY POLICY**

## **OCTOBER 2019**



## **TEACHERS' PAY POLICY – GUIDANCE AND RECOMMENDED POLICY**

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### **Teachers' Pay Policy**

A revised, recommended Teachers' Pay Policy is attached for consideration and adoption by the Trust Board, to be implemented by Local LGBs (LGBs). It is necessary for the Esteem Multi-Academy Trust (the 'MAT') and its academies to update their pay policies at this time to reflect the changes made in the School Teachers' Pay and Conditions Document 2019 (STPCD).

Maintained, Aided, and Foundation Schools must comply with the STPCD and agree policies within its provisions. Academies are not bound by the STPCD, but the MAT has undertaken to contractually adopt these terms and conditions. The Model Policy has been the subject of formal consultation with the recognised Teachers' Trade Unions and Professional Associations via Derbyshire and Staffordshire County Council's consultation forums. Full agreement on the Policy was reached at the DCC Schools' Joint Consultative Committee in 2018 and the policy was been formally adopted by DCC, SCC and the recognised trade unions.

The model policy is recommended by DCC to the LGBs of all Maintained Schools where the Local Authority is the employer and to the Trust Boards and LGBs of those Academies, Aided and Foundation Schools which purchase the Children's Services HR Advisory and Payroll Services for Schools (Esteem purchases payroll services from DCC).

**The basis of the recommendation is that the model policy provides a sound and fair framework for paying teachers, which has been agreed with the recognised trade unions and professional associations. The Trustees or LGB of any academy wishing or intending to adopt an alternative pay policy, or to make amendments to this policy, would have to conduct its own formal consultations.**

## 2019 Pay Award

The only changes in the 2019 STPCD are the statutory provisions relating to the 2019 pay award.

1. Once again this year the statutory uplifts to the pay framework contained in the National Pay Award only apply to the maxima and minima of each pay range and allowances. It is for the relevant body to determine the implementation of the pay award to all other points on the pay ranges. DCC's approach previously has been to award the relevant salary increase to all centrally employed teachers, across the pay ranges and pay points, and recommends to academies that they adopt the same approach. It is proposed that Esteem Multi-Academy Trust takes the same approach.

The 2019 National Pay Award determined that there would be a 2.75% uplift applied to the statutory minima and maxima of all pay ranges and allowances. **Following the previous approach of DCC, the model pay policy exerts the discretion to uplift all points on all ranges and allowances by 2.75%**

2. The STPCD statutory maxima for the eight Headteacher Group Ranges no longer correspond with recommended scale points on the Leadership Group Range, or the corresponding point where it falls mid-range, due to the Government's decision to freeze those maxima in 2015. Therefore, the statutory maxima should only be used where they are the maximum point of a Headteacher's individual range and the discretion to exceed the maximum of the range has not been exercised. Where there are two values shown above for a leadership point, (eg 18a and 18b) the (a) value should be applied where it represents the top of the Headteacher Group Range.
3. These percentage increases to all pay points are separate from any movement along a pay range, which teachers may be specifically awarded as a result of a successful performance review, in line with the academy's Appraisal Policy.
4. While the model policy does not rule out the adoption of new differentials between TLR payments, on an academy by academy basis, it continues to recommend that LGBs adhere to the previous differential of at least £1,500 between each TLR1 payment and £1,500 between each TLR2 payment. Additionally, as previously recommended, it suggests that TLR3 payments be set at 3 levels. The recommended points have been uplifted by 2.75% to amounts of £555, £1655 and £2757 to provide sufficient difference in value to reflect posts of varying scope and weight. It could become difficult to objectively and consistently quantify the factors determining a post's value and justify the varying values attached to posts, if the amounts awarded are not significantly different.

Both the national pay award and any later performance pay progressions will be backdated to 01 September 2019.

As detailed in Appendix A, the academy is required to issue a salary statement to teachers within a month of re-determining their salary. This is best done once any performance pay progression has been agreed, in addition to the uplift provided by the annual pay award.

### Completion of the Policy

There are some paragraphs in the policy where each of the MAT's academies needs to enter their own details.

- Paragraph 7.2 - Enter the values of any TLR posts in the academy's Staffing Structure. In paragraph 7.3 (c) the wording in italics shows an expectation that the academy will retain the differentials between TLRs. This needs to be considered by the academy and amended if the LGB makes a different decision. The values utilised by the MAT including the 2019 pay award, are  
TLR1a= £8,072   TLR1b= £9,937   TLR1c= £11,798   TLR1d=£13,652  
TLR2a= £2,799   TLR2b= £4,663   TLR2c= £6,521
- Paragraph 7.4 - Enter the values for any SEN allowances awarded in the academy. For information, the amounts recommended by DCC and, therefore, proposed for the MAT are SEN1 = £2,209   SEN2 = £4,359
- If the LGB awards any recruitment and retention incentives or benefits these should be entered in paragraph 8.2.

### Adoption of a Teachers' Pay Policy

Schools/academies/MATs need to revise their pay policy for teachers annually. The Trust Board must formally agree its pay policy and make it available to the staff. If it was proposed to adopt another policy other than the one offered by the LA, at this stage, the MAT would be required to consult the relevant unions and their staff. Likewise, the MAT would have to undertake consultation over any amendments made to the LA recommended policy.

# **ESTEEM MULTI-ACADEMY TRUST**

## **TEACHERS' PAY POLICY**

**[*NAME OF*] SCHOOL/ACADEMY**

**Date.....**

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# **TEACHERS' PAY POLICY FOR [NAME OF ACADEMY]**

## **1. PURPOSE**

The purpose of this policy is to provide a clear basis upon which the pay of teaching employees will be determined in the context of the academy's improvement plans and staffing structure. It has been developed to comply with the current School Teachers' Pay and Conditions Document (STPCD) and the conditions of service laid down in the current Burgundy Book and with consideration of Derbyshire County Council (DCC) model Teachers Pay Policy. As changes to this policy take into account associated government guidance and statutory changes, there is no requirement for formal consultation with the recognised professional associations and trade unions.

## **2. CONTEXT**

The responsibility for adopting and implementing a pay policy for teachers in a multi-academy trust rests with the Trust Board acting in accordance with the overriding requirements of legislation, which determine its rights, responsibilities and duties, and in accordance with the present and projected financial circumstances. In adopting this policy, the Trust Board intends compliance with the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention and Less Favourable Treatment) Regulations 2002. Procedures for determining pay should also be consistent with the principles of public life- objectivity, openness and accountability.

This pay policy should comply with the current School Teachers' Pay and Conditions Document (STPCD, also referred to as the 'Document') and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any inadvertent contradictions, the Document and guidance take precedence.

This model pay policy only covers academy teachers, whose statutory pay and conditions of service fall under the terms of the Document. It does not cover support staff, who have their own pay determination mechanism.

In determining teacher pay levels in accordance with statutory pay and conditions of service under the terms of the Document, relevant bodies should also ensure these are set in accordance with the academy's staffing structure.

## **3. AIMS**

The Trust Board wishes to have a pay policy consistent with legal requirements and pay and conditions of service, which supports the Improvement and Post Ofsted Plans of all its academies through:

- (a) A clear staffing structure.

- (b) Objective, consistent and fair criteria for assessing and reviewing salaries in accordance with the mandatory and discretionary provisions in the School Teachers' Pay and Conditions Document.
- (c) An agreed policy on Appraisal.
- (d) A procedure for representation and appeal.
- (e) The application of the MAT's Equal Opportunities Policy.
- (f) A mechanism for annual review of this policy within the context of the School Teachers' Pay and Conditions Document.
- (g) Regard to available resources.

The Trust Board aims that the policy will:

- assure the quality of teaching and learning at the academy,
- support the recruitment and retention of a high-quality teacher workforce,
- enable the academy to recognise and reward teachers appropriately,
- ensure accountability, transparency, objectivity and equality of opportunity.

## **4. PRINCIPLES**

The Trust Board has agreed the following principles in relation to the assessment and reviews of salaries for teaching employees.

### **4.1 Consultation**

DCC has undertaken formal consultation and negotiation with the recognised trade unions and professional associations in the formulation of this agreed policy. As changes to this policy take into account associated government guidance and statutory changes, there is no requirement for further formal consultation with the recognised professional associations and trade unions at this point.

All teachers will have easy access to a copy of the pay policy. Academies should attach a copy of the Staffing Structure and implementation plan (where relevant) to their published Pay Policy.

In keeping with good practice, the annual report on the operation of the pay policy will be provided, on request, to the trade unions and professional associations. The report should include a summary of pay decisions and equality impact assessment.

### **4.2 Application**

The pay policy will be adopted and determined by the Trust Board. Implementation will be the responsibility of the LGB via a committee of the LGB (The Pay Policy Committee) which is made up of at least three governors, excluding the Headteacher and other staff governors. It is recommended that the terms of reference specify that pay decisions will be communicated to each member of staff by the head, in writing.



The determination and agreement of Headteacher pay within the MAT is the responsibility of the Trust Board in consultation with the Chief Executive Officer and the LGB. Decisions on the pay of the Headteacher will be communicated by the chair of the Trust Board, in writing.

The appointment of Headteachers within the MAT and setting of pay levels for new Headteachers is the responsibility of the Trust Board, taking advice from the Chief Executive Officer and the LGB.

#### **4.3 Vacancies**

All vacant posts and temporary and acting posts, associated allowances and enhancements, will be made known to teaching staff and publicly advertised where appropriate or necessary.

#### **4.4 Job Description**

Job Descriptions will be provided for all staff who will be consulted over their content. Any changes to these would be subject to consultation. The Headteacher (or designated senior leader) is responsible for discussing each year with individuals which tasks, from within the overall role, need to be amended, reviewed, developed or prioritised.

#### **4.5 Contracts of Employment and Salary Records**

All teaching employees will be provided with a letter of appointment and contract of employment. Each teacher will have access to their own salary records and will be notified of the outcome of their salary assessment and subsequent reviews by an annual Salary Statement which provides details of salary points and allowances. Details of the information which will be included in the annual Salary Statement are included as Appendix A to this policy.

#### **4.6 Confidentiality**

The Headteacher and Governors recognise their obligations under the Data Protection Act. The Headteacher and Governor will treat all salary issues confidentially, with sensitivity, and will undertake to make no public disclosure or provide details, other than by consent, or as required by legislation.

#### **4.7 Pay Reviews**

The LGB will ensure that each teacher's salary is reviewed annually, with effect from 01 September and no later than 31 October (except in the case of the Headteacher) each year, including giving them a written statement setting out their salary and any other financial benefits to which they are entitled. Teachers' annual pay reviews should be conducted by 31 October. 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. The Headteacher's pay review will be completed by 31 December. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Salary reviews will be undertaken by the Pay Policy Committee of the LGB,

which has fully delegated powers. Please see terms of reference of the Committee, in LGB documentation. All decisions made by the Pay Policy Committee of the LGB must be ratified by the Trust Board Pay Committee.

#### **4.8 Equalities Considerations**

Where a teacher is absent on maternity leave or long term sick leave, their pay review may be deferred until after their return to work (or carried out before maternity leave commences), depending on the effect of the timing and length of the absence on the ability to carry out a performance review. Account could also be taken of performance in previous appraisal periods, if there is little to go on in the current year. Where a teacher is away because of maternity leave, it is unlawful to deny that teacher an appraisal and subsequent pay progression decision **because** of her maternity. When a teacher returns to work from maternity leave, the academy must give her any pay increases that she would have received, following appraisal, had she not been on maternity leave.

When a teacher is absent for disability related reasons the academy will consider and consult on whether there are any adjustments that can reasonably be made to enable the teacher to participate in appraisal and access pay progression. When a teacher returns to work following a disability related absence, the academy must not refuse a pay increase that the teacher would have received, following appraisal, had s/he not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified. (See 'Implementing your academy's approach to Pay', September 2018, DfE)

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

Salary Assessments and Reviews will be made by the LGB (Pay Policy Committee) on the advice of the Headteacher and other teachers filling the role of Appraiser.

Any salary decisions will be communicated in writing to each teacher in accordance with the School Teachers' Pay and Conditions Document, by the Headteacher or Chair of Governors.

#### **4.10 Appeals**

From time to time teachers may disagree with their salary assessment or annual salary review. As far as practicable these will be resolved informally with the Headteacher and/or representative(s) of the Pay Policy Committee. If this is not possible and the disagreement remains unresolved teachers will be able to have their disagreement resolved through formal procedures. The formal procedure will be fair, equitable, and objective to allow a reasonable and appropriate outcome to be achieved. Outcomes of the formal procedures will always be in accordance with the procedures and requirements of the Academy's Pay Policy (i.e. it should be self-regulating).

The order of proceedings will be as follows:

- 4.10.1 The teacher receives written confirmation of the pay determination, and where applicable, the basis on which the decision was made. The teacher will be provided with details and the time frame of how to challenge a decision, make representations and appeal.
- 4.10.2 If the teacher is not satisfied and is unable to resolve the matter informally with the decision maker within 10 working days he/she will set down in writing the grounds for questioning the pay decision [which must relate to the grounds as set out in 4.10.5 below] and send it to the Pay Policy Committee within 10 working days of the notification of the decision being appealed against, or of the outcome of the discussion referred to above.
- 4.10.3 The Pay Policy Committee should provide a hearing within 10 working days of receipt of the written grounds for questioning the pay decision to consider this and give the teacher an opportunity to make representations in person.
- The teacher is entitled to be accompanied by a colleague or Professional Association Representative
  - The timing and location of the formal meeting will be reasonable and will allow both parties to explain their cases
  - The teacher and their representative will have access to all relevant documents
  - The teacher or representative will be able to state their case and ask questions of the Headteacher and/or Pay Policy Committee
  - The Pay Policy Committee will give reasons for its original decisions and respond to any questions put to it by the teacher or representative.
- 4.10.4 The Pay Policy Committee may seek the advice of the Headteacher and/or Chief Executive Officer. The Pay Policy Committee will decide the outcome of the representations and inform the teacher in writing within 1 working day. If appropriate, the teacher will be informed in writing of their right of appeal, including the timeframe available for registering an appeal.
- 4.10.5 The teacher can appeal against the decision on procedural grounds or that the Pay Policy Committee has failed to implement the Academy's Pay Policy. A teacher may appeal against any determination in relation to his/her pay on statutory grounds as follows:

That the committee who made the decision: -

- a) Incorrectly applied the academy's pay policy
- b) Incorrectly applied any provision of the Academy Teachers' Pay and Conditions Document
- c) Failed to have proper regard for statutory guidance
- d) Failed to take proper account of relevant evidence
- e) Took account of irrelevant or inaccurate evidence
- f) Was biased or,
- g) Otherwise unlawfully discriminated against the teacher

Any appeal will be heard by a committee of 3 Governors who were not involved in the original determination and have had no prior involvement of any kind in the matter.

- It will be heard normally within 20 working days of the receipt of the written appeal notification
- The teacher will be given the opportunity to make representations in person and will have the right to be accompanied by a colleague or Professional Association Representative
- The employee or representative will be able to state their case
- The representative of the Pay Policy Committee will give reasons for the Committee's decision
- The Appeal Committee may ask questions of the employee or representative and the representative of the Pay Policy Committee
- The Appeal Committee may seek the advice of the Headteacher and/or Chief Executive Officer
- The Appeal Committee will decide the outcome of the appeal and inform the employee in writing within 1 working day. Where the appeal is rejected it will include a note of the evidence considered and the reasons for the decision
- The pay appeals procedure performs the function of the grievance procedure on pay matters and therefore decisions should not be re-opened under general grievance procedures. Appeal decisions do not affect teachers' statutory employment rights

## **5. USE OF DISCRETIONS IN BASIC PAY DETERMINATION**

### **5.1 Pay range for Headteachers**

The determination and agreement of Headteacher pay within the MAT is the responsibility of the Trust Board in consultation with the Chief Executive Officer and the LGB. Decisions on the pay of the Headteacher will be communicated by the Chair of the Trust Board, in writing.

The appointment of Headteachers within the MAT and setting of pay levels for new Headteachers is the responsibility of the Trust Board, taking advice from LGBs and the Chief Executive Officer.

Since 1 September 2014 revised regulations have governed the setting of leadership pay, requiring Trust Boards to determine the appropriate level of pay for the role, in the light of academy size, context and challenge. **There is no need for the Trust Board to reassess the pay or allowances of an existing Headteacher or the leadership team.** The pay of those in post will only need to be reviewed when there are significant changes to responsibilities.

The MAT may choose to review the pay of all of its leadership posts under these arrangements if it is determined that this is required to maintain consistency either with pay arrangements for new appointments to the leadership group made on or after 01 September 2014 or with pay arrangements for a member or members of the leadership group whose responsibilities significantly change on or after that date. Should the Trust Board, as a result of a review, propose to reduce the Individual Salary Range of a leadership group member, the appropriate consultation process will be followed. If the change is implemented the national safeguarding provisions will apply.

Although the MAT has the freedom to set its own pay points between the minimum and maximum salary on the leadership pay range, the Trust Board has decided to adhere to the previous leadership scale points, increased in line with uplifts made in national pay awards. The Trust Board, in consultation with the LGB, will review the Individual Academy Range (ISR) when it appoints a new Headteacher. A 3-stage process will be followed. Pay decisions will be documented and made on objective criteria.

- I. Defining the role and determining the Headteacher group:  
To identify the broad pay range the academy will be assigned to a Headteacher group, by calculating the total unit score for the academy in accordance with STPCD. The unit score is based on pupil numbers and must include any **permanent responsibility for additional academies**. The Trust Board, in consultation with the LGB, must define the specific role, responsibilities and accountabilities of the post and set out the skills and relevant competencies required.
- II. Setting the indicative pay range:  
The complexity and challenge of the role in the context of this academy will be considered. The unit score total usually fully captures the complexity of the Headteacher role and the relevant broad pay range accommodates appropriate levels of reward. The Trust Board, in consultation with the LGB, will also consider whether the indicative pay range should start at the minimum of the Headteacher group or at a higher level because of the challenge of the post.

Additional factors may suggest that the indicative pay range should be higher than would be provided by the basic calculation at stage 1. Examples of additional factors include:

- The context and challenge arising from pupils' needs (e.g. high level of deprivation in the community, high levels of children with special needs, English as an additional language, looked after children or high pupil mobility)
- High degree of complexity and challenge e.g. accountability for multiple academies, managing across several dispersed sites, significantly beyond that expected of Headteachers of similar sized academies **and not already reflected in the total unit score used at stage 1.**)
- Additional permanent areas of accountability not reflected at stage 1.
- Factors that may have impeded the academy's ability to attract a field of appropriately qualified and experienced leadership candidates (e.g. location, specialism required, size/responsibilities of remainder of leadership team)

If the circumstances warrant, an indicative pay range with a maximum of up to 25% above the top of the relevant Headteacher group range may be determined.

There will be no double counting of responsibilities or factors that have already been accounted for at stage 1. Factors not expected to persist, such as temporary responsibility for an additional academy, will be reflected through an allowance rather than consolidated into the indicative pay range.

Some factors may carry more weight than others. The Trust Board, in consultation with the LGB, may consider that the pay range should extend above the maximum of the Headteacher group for the academy. The Trust Board will ensure that the pay range allows scope for performance related progression over time and what will be the appropriate differentials to other leadership pay ranges.

Although nationally mandatory spine points on the leadership pay range have been removed, the Trust Board has decided to retain the previous leadership group spine points as reference points. An indicative salary range of 7 spine points will be determined.

### III. Deciding the starting salary and individual pay range:

The 3<sup>rd</sup> stage is where the starting salary of the individual who is to be offered the post is decided.

Once a preferred candidate has been identified, through the recruitment process, the starting salary of the individual who is to be offered the post will be decided. The salary will be set in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. Scope will be retained for the Headteacher to secure performance related progression over time, through the seven-point range.

The Trust Board, in consultation with the LGB, should determine the pay range for Headteachers when they propose to make a new appointment or at any time if there has been a significant change in the responsibilities of the Headteacher. The ISR should be reviewed if a pay range is set for a deputy or assistant Headteacher which overlaps with that of the Headteacher. The STPCD allows for the pay range of a deputy or assistant Headteacher to overlap the Headteacher's pay range but this should only happen in exceptional circumstances.

The expectation is that in most cases the pay range will be within the limits of the Headteacher group. However, if the Trust Board has difficulty making an appointment or there is a need to incentivise a Headteacher to take on an exceptional challenge, a decision can be made to increase the maximum of the pay range to be above the maximum of the Headteacher group, by up to an additional 25%.

### Temporary Payments to Headteachers

In the circumstances where there is a vacancy for a permanent Headteacher

and, for some reason, it is not possible to appoint a deputy Headteacher or other member of teaching staff to the post of acting Headteacher, another Headteacher may be temporarily appointed to be responsible and accountable, in addition to their continuing position as Headteacher of another academy.

The arrangement should be time limited and reviewed with a maximum duration of 2 years, while the academy pursues arrangements to make a permanent appointment.

The Trust Board may determine that additional temporary payments be made to the Headteacher for clearly temporary duties or responsibilities that were not taken into account when the salary for the post was formulated.

The total sum of any additional temporary payments made to the Headteacher in any academy year must not exceed 25% of the annual salary which is otherwise paid to the Headteacher. The total sum of annual salary and temporary payments must not exceed 25% of the maximum of the Headteacher group.

The above paragraph applies except where the additional payments relate to residential duties which are a requirement of the post or to relocation expenses which arise solely from the personal circumstances of the Headteacher.

#### Extended Services

The Trust Board, in consultation with the LGB, has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the Headteacher's ISR. If the Headteacher and LGB have agreed to take on significant additional responsibility, for which the Headteacher is accountable, and the Headteacher is permanently appointed, then the Trust Board has the discretion to take this into account when setting the Headteacher's pay range. Any salary uplift will be proportionate to the level of responsibility and accountability undertaken. Consideration will also be given to the remuneration of other teachers who will take on additional responsibilities as a result of the Headteacher's role.

Clarity will be established around how such arrangements will work in practice and how they will end.

However, where the Headteacher takes an interest in the quality of a service that is co-located on site, but is not responsible or accountable for the service, then this would be viewed as part of the Headteacher's core responsibilities and would not be considered when setting the pay range.

#### Provision of Services by the Headteacher

Where the Headteacher provides services to another academy (or academies), for example as a National Leader of Education (NLE) or Ofsted Inspector, the Headteacher is not ultimately accountable for the outcomes in the other academy(s) but for the quality of the service provided. The Trust Board will determine how much, if any, payment is made to the Headteacher, in line with the provisions of the STPCD and the academy's pay policy, taking account for example of whether the contract requires work outside academy sessions.

The LGB may also make payments to any of the academy's teachers whose post acquires additional responsibility as a result of the Headteacher's activities. Payments are not automatic and should be in line with the provisions of the Document and the academy's pay policy. (Please refer to the Statutory Information, Advice and Guidance section for detailed guidance in these circumstances.)

### Fixed term Contracts

The Trust Board, in consultation with the LGB, may appoint a Headteacher on a fixed term contract where it determines that the circumstances of the academy require this. Consideration will be given to how the length and reason for the contract will affect the timescale and nature of appraisal objectives set.

## **5.2 Deputy and Assistant Headteachers' Leadership Group Pay Range**

The LGB will determine a pay range of 5 consecutive Points, on the leadership pay range agreed by the LGB, for each Deputy Headteacher. The range will reflect the responsibilities and challenge of the post, the circumstances of the academy, and possible recruitment and retention difficulties.

The LGB will determine a pay range for each Assistant Headteacher post, this may also consist of 5 consecutive points from the leadership pay range but may be 3 or 4 consecutive points. This will depend on the scope of the post. A range of leadership posts within the academy may be deemed to fill the role of Assistant Headteacher (eg a head of faculty) where they play a major role, under the direction of the Headteacher, in:

- Formulating the aims and objectives of the academy
- Establishing policies through which they are to be achieved
- Managing staff and resources to that end
- Monitoring progress towards their achievement.

The pay range determined will be within the leadership pay range and will reflect the responsibilities and challenges of the post and the circumstances of the academy.

The Pay Range may be determined as of 01 September or at any time of year to reflect any changes in the circumstances or job description/responsibilities that lead to a change in the basis for calculating their pay, or at any time if it is considered necessary to retain a Deputy or Assistant Headteacher.

A new deputy or assistant Headteacher will be placed on the range in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. Scope will be retained for the deputy or assistant Headteacher to secure performance related progression over time, through the designated range.

The top point of any deputy Headteacher's pay range will normally be set at least 1 point below the lowest point of the Headteacher's ISR, unless there are exceptional reasons why this is not the case.



The top point of any deputy Headteacher's pay range will be at least at 1 point higher than the top point of any assistant Headteacher's pay range.

The lowest point of any deputy or assistant Headteacher's pay range will have a cash value which is greater than the cash value of the salary of the highest paid classroom teacher.

This is defined as the cash value of point 1 on the Upper Pay Range plus the cash value of any substantive TLR payments and Special Educational Needs Allowances.

The LGB acknowledges it is possible that the actual salary differential between:

- an inexperienced or new Headteacher and an experienced deputy Headteacher may be relatively small.
- an experienced Headteacher and an inexperienced or new deputy Headteacher will be relatively large.

Also, that similar situations may arise for differentials between deputy or assistant Headteachers and the highest paid class teacher and that,

- an experienced assistant Headteacher may be paid more than an inexperienced or new deputy Headteacher
- a teacher who has progressed up the Upper Pay Range and who receives additional substantive allowances may be paid more than a more senior member of staff
- a teacher on a protected salary may be paid more than a deputy or assistant Headteacher, and/or the highest paid class teacher as defined in the School Teachers' Pay and Conditions Document

These situations are due to specific circumstances which have been anticipated and are acceptable according to the School Teachers' Pay and Conditions of Service Document

When the Head becomes responsible for more than one academy, in all cases, consideration will to be given to the remuneration of deputy and assistant heads who as a result of the Headteacher's role are taking on additional responsibilities. An increase in remuneration will only be agreed where the post accrues additional extra responsibilities as a result of the Headteacher's enlarged role, it is not automatic.

### Extended Services

Where the Head takes on responsibility for extended services the LGB has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the deputy or assistant Head's remuneration. An increase in remuneration will only be agreed where the post accrues extra responsibilities as a result of the Head teacher's enlarged role, it is not automatic.

### 5.3 Leading Practitioners

From 01 September 2013 LGB had to determine whether to include in the Academy's Staffing Structure any posts which primarily have the purpose of modelling and leading the improvement of teaching skills. A teacher paid on the leading practitioners' pay range must be an exemplar of teaching skills, lead the improvement of teaching skills in their academy and carry out the professional responsibilities of a teacher, other than a Headteacher, including those duties delegated by the Headteacher.

Any teacher placed on the pay range for leading practitioners will take a leadership role in developing, implementing and evaluating policies and practice in the academy that contribute to academy improvement.

For any leading practitioner post the LGB will determine an individual pay range within the overall range for the post. Different posts within the academy may be paid on different individual ranges. The LGB will determine where, within the individual range for any particular post, each relevant teacher will be paid.

Teachers on the pay range must be an exemplar of teaching skills, lead the improvement of teaching skills in the academies and carry out the responsibilities of a teacher other than a Headteacher. Their duties may include:

- Coaching, mentoring and induction of teachers, including trainees and Newly Qualified Teachers(NQTs)
- Disseminating materials and advising on practice, research and continuing professional development(CPD) provision
- Assessment and impact evaluation, including through demonstration lessons and classroom observation
- Helping teachers who are experiencing difficulties
- Outreach work in other partner academies

The minimum of the pay ranges for leading practitioners is £41,267 and the maximum is £62,735. In setting an individual range the LGB will have regard to the weight of responsibilities, challenge and demands of the post and internal pay relativities between posts of differing levels of responsibility.

### 5.4 Other Teachers

Discretionary experience points for classroom teachers, on appointment.

#### Teachers Appointed from the Maintained Sector

For teaching posts, the LGB will determine whether any allowances should be paid, in accordance with the academy's staffing structure, before advertising a vacancy. On appointment it will determine the starting salary within that range, to be offered to the successful candidate. In making such a determination the LGB may take into account factors including

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions

- The wider academy context

When placing a classroom teacher on the main pay range, the LGB is committed to the principle of pay portability and will take full account of the experience of a newly appointed teacher on the main pay range. The LGB will honour a teacher's position on the Upper Pay Range. In both cases this will include any pay progression the teacher would have been awarded as a result of their most recent appraisal review in the post where they were previously employed.

Where the teacher was previously employed on the Main Scale or Upper Pay Range, in a school or academy which has adopted different salary points to this academy, the teacher will be appointed at the next salary point above the value of their previous salary.

#### Teachers Appointed from Service other than in the Maintained Sector

Qualified teachers appointed from service as a teacher in an Academy, a city technology college or a college for the arts will be assimilated as detailed above for teachers from the maintained sector, if they were previously employed on a pay scale which utilised the minima and maxima provided in STPCD.

Where the teachers have been paid on salary scales outside of the minima and maxima provided in the STPCD, their level of service will be utilised to determine a pay point on this academy's relevant salary range.

The LGB will award a point or points on the Main Pay Range in recognition of previous teaching experience, as detailed below, or for wider areas of relevant experience in the following circumstances:

- Service in an independent school
- Service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned
- Service as a qualified teacher in further education, including sixth form colleges.
- Service teaching in higher education

The LGB will consider awarding one point, in total, on the Main Pay Range on a case by case basis for:

- Relevant experience outside teaching of at **least 3 years** which may include:
  - Industrial or commercial training
  - Paid work directly related to the care and supervision of children
  - Paid work in an area directly related to the subject being taught and with commensurate responsibility
  - Unpaid childcare/parenting duties.

When the Headteacher becomes responsible for more than one academy, in all cases, consideration needs to be given to the remunerations of other teachers who, as a result of the Headteacher's role, are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the Headteacher's enlarged role, it is not automatic.

## **5.5 Part-time teachers**

Teachers employed on an ongoing basis by the academy but who work less than a full working day or week are deemed to be part-time. The LGB will give them an agreed written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and working time arrangements and by comparison with the Academy's standard timetabled teaching week, for a full time teacher. Part-time teachers are paid an 'appropriate proportion' of 1265 hours, as set out in the School Teachers' Pay & Conditions document. Part-time teachers must be paid the pro rata percentage of the full-time salary for a teacher in an equivalent post. The same percentage must be applied to any allowances to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the Headteacher (or in the case where the part-time teacher is a Headteacher, the relevant board), should also be paid at the same rate.

LGBs are responsible for ensuring that part-time teachers have a clear statement of the sessions and hours they will be required to work.

## **5.6 Short notice/supply teachers**

Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by a 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 No. of weeks per year and then divided again by the full time hours per week to arrive at the hourly rate.

A short notice teacher who is employed by the same authority throughout a period of 12 months beginning in August or September must not be paid more in respect of that period than he would have received had he been in regular employment throughout the period.

## **5.7 Unqualified Teachers**

If the academy is unable to recruit appropriately qualified teachers, unqualified teachers may be appointed. The LGB will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, take account of any relevant qualifications and experience. Unqualified teachers may be appointed above the minimum in the following circumstances:

Qualifications:

- a) 1<sup>st</sup> or 2<sup>nd</sup> Class Hons. Degree
- b) A higher degree from a UK university in their subject area
- A recognised overseas teaching qualification, in a directly related subject/area
- A recognised Post-16 teaching qualification
- Other recognised qualification relevant to their subject area

**Service:**

- A period of at least 2 years of service as an overseas-trained teacher, where the post is directly related to the area now being taught and with commensurate responsibility
- A period of at least 2 years of service teaching in further education, including sixth form colleges
- A period of at least 2 years of service teaching in higher education
- The LGB may consider awarding on a case by case basis
- Periods of at least 3 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 academy, and experience with children/young people.

## **5.8 Unqualified teachers' allowance**

The LGB will pay an unqualified teachers' allowance to unqualified teachers when the LGB considers their basic salary is not adequate having regard to their responsibilities, qualifications and experience. Where an unqualified teacher is appointed to a post that would carry a Teaching and Learning Responsibility payment (TLR), if filled by a qualified teacher, then the teacher will be paid an allowance of the same value as the relevant TLR as long as the teacher has:-

- (a) taken on a sustained additional responsibility which is –
  - (i) focussed on teaching and learning;
  - (ii) requires the exercise of a teachers' professional skills and judgment;
  - or
- (b) qualifications or experience which bring added value to the role he is undertaking.

## **6. PAY REVIEWS and PAY PROGRESSION**

- 6.1** Since 1 September 2013 there are 4 pay ranges for teachers other than those on the leadership pay range.

- i) The main pay range for qualified teachers who are not entitled to be paid on any other pay range
- ii) The upper pay range
- iii) The pay range for leading practitioners, whose primary purpose is to model and lead teaching improvement, and
- iv) The unqualified teacher range

Any pay increase awarded to a teacher on the main pay range, upper pay range, or unqualified pay range, or any movement between those ranges will be permanent for as long the teacher remains employed in this academy.

The 2019 STPCD included a national pay award for teachers of 2.75% for all ranges and allowances.

The 2019 uplifts to the maxima and minima of pay ranges are statutory but the relevant body has to determine whether to apply any increase to interim points on the pay ranges.

The Trust Board recognises that teachers' pay progression must be linked to performance.

**The Trust Board has determined that all points on the main pay range and unqualified pay ranges will be** uplifted by 2.75%. Further, all allowances will be increased by 2.75%. All to be paid from 1 September 2019.

There are also 2 values (a and b) for points 18, 21, 24, 27, 31, 35 and 39 on the leadership pay range. The (a) values are the salary figures for Headteachers already paid at, or moving to the top of, the academy group pay range (*where the discretion to exceed the maximum of the range has not been exercised*), as these points were frozen in 2015. The (b) values are utilised where Headteachers are paid on one of these leadership pay points, **within** their Individual Salary Range (ISR).

## 6.2 Main Pay Range

The main pay range has a minimum of £24,373 and a maximum of £35,971. The Trust Board has determined that, in its academies, the following intermediate reference points will be used as points of progression through the range, where agreed by the Trust Board through the application of this policy.

Point 1	£24,373
Point 2	£26,298
Point 3	£28,413
Point 4	£30,599
Point 5	£33,010
Point 6	£35,971

## 6.3 Upper Pay Range

The upper pay range has a minimum of £37,654 and a maximum of £40,490. The Trust Board has determined that in its academies the following intermediate

reference points will be used as points of progression through the range, where agreed by the Trust Board through the application of this policy.

Point 1	£37,654
Point 2	£39,050
Point 3	£40,490

The LGB will pay a teacher on the Upper Pay Range if:

- a) The teacher is employed, or defined as, a post threshold teacher in the Academy under the 2012, or earlier, STPCD.
- b) The teacher applies to be paid on the Upper Pay Range, in accordance with the arrangements set out in paragraph 6.9 of this policy, that application is successful; the teacher is still employed at the academy.
- c) The teacher was previously employed in the leadership group or as a leading practitioner, was first appointed as such on or after 1 September 2000 and occupied that post, or posts, for an aggregate period of one year or more and the teacher specified in (a) to (c) will not be paid on the pay range for leading practitioners or on the pay spine for the leadership group.

The LGB will determine, on a case by case basis, where teachers will be placed on the range. For teachers paid on the Upper Pay Range by virtue of a) the LGB will recognise previous pay progression on the scale. Teachers to be paid on the Upper Pay Range (UPR) by virtue of the circumstances in b) will normally be paid on the minimum of the range and the LGB has the option to start the individual at a higher point on the UPR. The LGB will determine, on a case by case basis, where teachers who were previously employed as Leading Practitioners or on the Leadership Scale will be paid will be placed on the UPR range.

#### **6.4 Pay Range for Leading Practitioners**

Since September 2013 the LGB has determined whether to include in the Academy's Staffing Structure any post(s) which primarily have the purpose of modelling and leading improvement in teaching skills (see 5.3 above).

The Pay Range for Leading Practitioners has a minimum of £41,267 and a maximum of £62,735.

The LGB will determine an individual post range for each leading practitioner post and where, within the individual post range, each teacher will be paid. Where a Leading Practitioner Post is adopted by the LGB a pay range will be determined from the following points:

1. £41,267	10. £51,564
2. £42,301	11. £52,902
3. £43,357	12. £54,121
4. £44,436	13. £55,474

5. £45,543	14. £56,857
6. £46,685	15. £58,272
7. £47,942	16. £59,821
8. £49,048	17. £61,195
9. £50,273	18. £62,735

## 6.5 Unqualified Teachers' Pay Range

An unqualified teacher will be paid within the minimum of £17,682 and maximum £27,965 of the Unqualified Teachers' Pay Range. The Trust Board has determined the salary reference points shown below will be utilised where it is **agreed that an unqualified** teacher will progress up the range through performance reviews, in accordance with this policy.

Point 1	£17,682
Point 2	£19,739
Point 3	£21,794
Point 4	£23,851
Point 5	£25,909
Point 6	£27,965

## 6.6 Leadership Pay Spine

The Trust Board has determined that the leadership pay ranges will utilise the following reference points between the statutory minimum and maximum.

	£		£
Minimum	41,065	23	70,556
2	42,093	24(a) *	71,590
3	43,144	24(b)	72,306
4	44,218	25	74,103
5	45,319	26	75,936
6	46,457	27(a) *	77,048
7	47,707	27(b)	77,818
8	48,808	28	79,748
9	50,026	29	81,723
10	51,311	30	83,757
11	52,643	31(a) *	84,976
12	53,856	31(b)	85,826
13	55,202	32	87,960
14	56,579	33	90,145
15	57,986	34	92,373
16	59,528	35(a) *	93,732
17	60,895	35(b)	94,669
18(a) *	61,808	36	97,013
18(b)	62,426	37	99,424
19	63,975	38	101,885





All decisions regarding pay progression will be made with reference to the teachers' appraisal review statements and the pay recommendations they contain. To be fair and transparent, assessments of performance will be properly rooted in evidence. The evidence to be utilised in a performance pay review must be part of the appraisal process. It would not be appropriate for the academy to introduce evidence requirements that are not directly and explicitly related to the formal appraisal process and with the objectives and standards agreed with the teacher. Careful consideration will be given in order to avoid the inappropriate use of evidence and the need for the adoption of targets and objectives that enable teachers to demonstrate performance rather than simply results.

The evidence to be used in the academy as the basis for assessing performance is detailed in the Academy's Appraisal Policy. The policy also details how fairness will be ensured through the process of appraisal and performance review.

In this academy we will ensure fairness by annual monitoring of the application of the pay policy and pay decisions by the LGB.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether to accept a pay recommendation will be made by the LGB, having regard to the appraisal report and taking into account advice from the Headteacher, who will have moderated appraisal reviews and appraisers' pay recommendations. If a pay recommendation is not accepted, the LGB will provide the teacher with the reasons behind the decision and direct the teacher to the academy's appeals procedure.

Where a teacher is away from academy because of maternity leave, it is unlawful for the academy to deny that teacher an appraisal and subsequent pay progression decision because of her maternity. When a teacher returns to work from maternity leave, the academy must give her any pay increase that she would have received, following appraisal, had she not been on maternity leave. When a teacher returns to work following a disability related absence, the academy must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified.

The LGB will take account of potential pay progression in the light of the academy budget and ensure that appropriate funding is allocated for pay progression at all levels. All teachers can expect to progress to the top of their pay range as a result of successful appraisal reviews.

In order for an appraisal/performance review to be deemed 'unsuccessful' significant concerns about standards of performance not meeting expectations/progress towards objectives not being satisfactory, will have been raised during the annual appraisal cycle and recorded in writing. Also, the concerns will not have been sufficiently addressed by the teacher following support and feedback provided by the academy by the conclusion of the cycle.

In this academy judgements of performance will be made against teachers' performance objectives which will incorporate the relevant standards, as detailed in the academy's Appraisal Policy.

## **6.8 Newly Qualified Teachers**

In the case of Newly Qualified Teachers (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 Competence Procedure but those successfully completing their induction year will be awarded pay progression.

## **6.9 Teachers on the Main Pay Range**

Teachers will be eligible for pay progression of at least one point up the scale defined by the LGB, following each successful appraisal review.

In exceptional circumstances, where a teacher's performance is assessed to be successful in relation to significantly exceeding appropriate objectives, they are assessed as highly competent in fully meeting the relevant standards and significantly improving the progress of pupils, teachers may be awarded further progression on the Main Pay Range for excellent performance.

## **6.10 Movement to the Upper Pay Range**

New arrangements for gaining access to the UPR came into effect from 1 September 2013. Teachers must have Qualified Teacher Status (QTS). There are no barriers in STPCD connected with length of service for a teacher to be eligible for movement on to UPR, however teachers will need to demonstrate substantial, highly competent and, particularly, sustained performance. Teachers have the opportunity to make accelerated progress through the main pay range if awarded movement of 2 or more points following annual appraisal. Individual teachers must decide whether or not they wish to apply to their Headteacher to be paid on UPR. Any application must be assessed in line with this policy. Applications may be made once a year, to be received by the end of October, to enable inclusion of the previous academic year's appraisal review, with consequent backdating of the transfer to UPR to the 1 September.

If a teacher is simultaneously employed at another school/academy, they may submit separate applications if they wish to apply to be paid on UPR in that academy. This academy will not be bound by any pay decision made by another school/academy.

All applications should include the results of reviews or appraisals under the 2012 regulations, including any recommendation on pay, where these fall within the period of assessment. Academies may assess applications to progress to the UPR using only the most recent appraisal cycle and should consider whether this provides the teacher with sufficient opportunity to show that highly competent performance is substantial and sustained, bearing in mind the expectations of a teacher paid on UPR. As referenced in paragraph 6.6, particular consideration needs to be given to the applications of teachers who have been on maternity leave or absent with long term illness, especially if the

absence is related to a disability. *(See reference in the Statutory Information, Advice and Guidance section, paragraph 6.)*

Applications, using the standard format attached to this policy, should be submitted in writing to the Headteacher through their appraiser at the appraisal planning meeting. The application should be appended to their appraisal planning statement.

An application from a qualified teacher will be successful where the LGB is satisfied that:

- a) the teacher is highly competent in all elements of the relevant standards and
- b) the teacher's achievements and contribution to the academy are substantial and sustained.

For the purposes of this pay policy the LGB will be satisfied that the teacher has met the expectations for progression to the Upper Pay Range where the Upper Pay Range criteria (see Appendix B) have been satisfied as evidenced in the agreed performance reviews.

**The Headteacher will remind, or delegate appraisers to remind, all teachers regardless of their position on the Main Pay Range of their eligibility to apply for assessment.**

Teachers should notify their appraiser that they are planning to apply for assessment to move to the UPR, so that objectives are set appropriately and feedback is given, in relation to the Teachers' Standards *and* Upper Pay Range Criteria defined in Appendix B. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay range. Appraisers should normally expect that teachers approaching the top of the Main Pay Range will apply to transfer to the UPR, if they have not already done so, unless they have stated that they do not wish to apply.

For teachers who have indicated an intention to apply to transfer to the UPR, it is important that where there is concern that a teacher will not fulfil the Upper Pay Range Criteria, the issues are raised with the teacher during the appraisal cycle. Relevant actions and support should be agreed in order for the teacher to address the areas where there is concern.

In order for an appraisal review to be deemed unsuccessful, in relation to meeting and sustaining UPR criteria, this must be raised during the annual appraisal cycle and recorded in writing. Also the issues will not have been sufficiently addressed by the teacher, following support and feedback provided by the academy. Furthermore, the teacher should be provided in writing with clear feedback as to whether they are continuing to successfully meet the Teachers' Standards.

The application will be assessed by the Headteacher.

The recommendation in relation to a teacher's application to be paid on UPR will be considered by the LGB, who must be satisfied that a) and b) above are met.

## **Process and Procedures**

The assessment will be made within 15 working days of the deadline for receipt of applications, at the outside. Applicants will all be informed of the outcome and when the Headteacher's assessment will be reported to the LGB.

If the applicant is unsuccessful, feedback will be provided by the Headteacher (or other senior leader as determined by the academy) Feedback will be provided verbally within 10 working days of the LGB's determination and be confirmed in writing within a further 10 days. It will be made clear in the feedback where the criteria for moving to the Upper Pay Range were deemed not to be met and details of how to submit an appeal provided, including the timescale for the process.

Any appeal against a decision not to move a teacher to UPR will be determined through the hearing and appeal process detailed in paragraph 4.9 of this policy.

Successful applicants will move to UPR from 1<sup>st</sup> September (ie backdated if the application was received between 1 September and 31 October). For initial applications to be paid on UPR, successful applicants will be placed at the level determined by the LGB.

### **6.11 Post Threshold Teachers/Progression on the Upper Pay Range**

Teachers will be eligible for pay progression of at least one point up the scale defined by the LGB, following each successful appraisal review.

Progression on the UPR depends on the teacher's achievements and contribution to the academy meeting the specified criteria.

The annual performance review will determine whether the teacher's performance has been 'highly competent, substantial and sustained', as defined in the Upper Pay Range criteria. Appraisal reviews should show that the teacher has further developed their performance.

In order for an appraisal/performance review to be deemed 'unsuccessful' significant concerns about standards of performance not meeting expectations and/or progress towards objectives not being satisfactory, will have been raised during the annual appraisal cycle and recorded in writing.

Also, the concerns will not have been sufficiently addressed by the teacher, following support and feedback provided by the academy, by the conclusion of the cycle.

### **6.12 Headteacher**

The Headteacher must demonstrate sustained high quality of performance, with particular regard to academy leadership, management and pupil progress at the academy and will be subject to a review of performance against performance objectives before any performance points will be awarded. When making a determination on pay progression the Trust Board must have regard to the recommendation on pay recorded in the Headteacher's appraisal review.

Annual pay progression within the range for this post is not automatic. Any progression will normally be by one point on the leadership range agreed by the Trust Board. The Trust Board, in consultation with the LGB, may exercise the discretion available to award a further point for exceptional performance. Exceptional performance is defined as *that which significantly exceeds the expectations identified in the objectives or, in addition to successfully achieving performance objectives, the academy is judged by external assessment to be significantly improved and/or delivering excellent provision.*

### **6.13 Deputy Headteachers and Assistant Headteachers and Heads of Faculty**

Deputy and Assistant Headteachers and any heads of faculty on the leadership pay range will be awarded additional points on the agreed leadership scale when Appraisal Reviews, taking account of performance objectives, when they have demonstrated sustained high quality of performance in respect of academy leadership and management and pupil progress.

When making a determination on pay progression the LGB must have regard to the recommendation on pay recorded in the teacher's appraisal review. Any progression will be of at least one point. The LGB may exercise the discretion available to award further progression for exceptional performance. Exceptional performance is defined as *that which significantly exceeds the expectations, identified in the objectives, in key areas of performance and where impact is validated.*

### **6.14 Leading Practitioners**

In order for leading practitioners to move up their individual pay range (as determined by the LGB) they must achieve a successful appraisal review. This will be determined in relation to meeting their objectives, which will be set in accordance with their job description and responsibilities of the post. Reviews will be deemed successful unless significant concerns about standards of performance and/or progress towards meeting objectives have been raised with the teacher during the appraisal cycle and recorded in writing. Also the concerns will not have been sufficiently addressed by the teacher, following support and feedback provided by the academy, by the conclusion of the cycle.

When making a determination on pay progression the LGB must have regards to the recommendation on pay recorded in the teacher's appraisal review. Pay progression will be by at least one point on the teacher's pay range. The LGB has the discretion to consider further progression in the following circumstances of exceptional performance.

*Exceptional performance is defined as that which significantly exceeds the expectations set out in their objectives in key areas of performance and impact is validated.*

## **7 DISCRETIONARY ALLOWANCES AND PAYMENTS**

### **7.1 Safeguarded payments and allowances**

Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own, as set out in the School

## 7.2 Teaching and Learning Responsibility Payments (TLRs)

TLRs are awarded to the holders of the posts indicated in the attached staffing structure and may only be awarded in the context of the academy's Staffing Structure and Pay Policy. Teachers will not be required to undertake sustained responsibilities additional responsibilities without payment of an appropriate permanent TLR1 or TLR2, unless paid on the leadership scale or in a Leading Practitioner post.

The values of the TLR1 and TLR2 posts to be awarded are set out below and will be increased by any national pay awards and cost of living increases.

*[The range of TLR1 and 2 posts included in the academy staffing structure is shown on the attached documents at their original value before annual cost of living or other increases were triggered.]*

- **Criterion and factors for award of TLRs**

### Criterion

In accordance within the academy's staffing structure, the LGB will award a TLR1 or TLR2 to a classroom teacher who is responsible and held accountable for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning. If the LGB wishes to create new TLR posts or to remove any from the structure they will need to conduct a review of the staffing structure. A teacher will continue to receive the TLR award while they remain in the same post and the TLR may be awarded to another teacher who occupies the same post, in the absence of the existing post holder.

### Factors

Before awarding a TLR, the relevant board 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 board 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.

The LGB may award a third TLR (TLR3) to a classroom teacher on a temporary basis;

- for clearly time-limited academy improvement projects
- or one-off externally driven responsibilities

Clear criteria for the award of a TLR (3) will be set out. Factors (c) and (e) above do not have to apply to TLR3 posts.

As this would be a temporary addition to the staffing structure, the LGB will consult with the professional associations/unions concerning the rationale for the post, the level of payment and duration before the decision to make such a payment is made.

The annual value of a TLR3 must be no less than £555 and no greater than £2,757. The duration of the fixed term and payment must be established at the outset and payment should be made on a monthly basis for the duration of the fixed term. Teachers may be awarded more than one TLR3 and holders of TLR1 or TLR2 posts may also be awarded TLR3 posts. *A range of 3 suggested values, matching those adopted by the Trust, are given in the Advice & Guidance Section.*

Where a TLR3 is awarded to a part-time teacher it is not paid on a pro-rata basis.

### 7.3 Values

The values of TLR1 and 2 payments must fall within the following ranges:

- a) the annual value of a TLR1 is no less than £8,069 and no more than £13,654 pa.
- b) the annual value of a TLR2 is no less than £2,796 and no more than £6,829 pa.
- c) the 2014 STPCD provided freedom from any required differentials between the value of TLRs awarded. *This LGB has determined that where TLRs of different values are awarded to two or more teachers, the maintenance of a minimum difference in value, between each award of a TLR1 of £1,500 and between each award of a TLR2 of £1,500, is considered in order to provide clear difference in the weight and scope of the roles which attract TLR payments*

A teacher may not hold more than one TLR1 or TLR2 but holders of TLR1 or TLR2 posts may be awarded a TLR3. A TLR1 or 2 could be based on a job description that itemises several different areas of significant responsibility. A TLR1 or TLR2 is a payment attached to a post in the Academy's Staffing Structure and therefore may only be held by two or more people, when job sharing that post. TLR1s and TLR2s awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract. The TLR position itself must be a full-time equivalent post.



*[The academy must set out the TLR values selected for the posts determined in their structure. The values adopted by the Trust are shown in the Advice and Guidance Section.]*

## **7.4 Special Education Needs Allowances**

A SEN allowance of no less than £2,209 pa and no more than £4,359 pa is payable to a classroom teacher:-

- In any SEN post that requires a mandatory SEN qualification.
- In a special academy.
- Who teaches pupils in one or more designated classes or units in a academy, or in the case of an unattached teacher in a local authority unit or service.
- In any non-designated setting that is analogous to a designated special class or unit, where the post:
  - a) involves a substantial element of working directly with children with SEN
  - b) requires the exercise of a teacher's professional skills and judgement in the teacher of children with SEN and,
  - c) has a greater level of involvement in the teaching of children with SEN than is the normal requirement of teachers throughout the academy or unit or service.

The LGB has determined that classroom teachers will be awarded SEN allowance of the following value(s) (.....) taking into account the structure of the academy's SEN provision and:-

- 1) Whether mandatory qualifications are required for the post.
- 2) The qualifications or expertise of the teacher relevant to the post and
- 3) the relative demands of the post.

*[The values adopted by the Trust for Special Needs Allowances are shown in the Advice and Guidance Section.]*

If teachers have responsibilities that meet the principles for the award of a TLR payment, it is appropriate to award a TLR of a relevant value.

## **8 OTHER PAYMENTS**

### **8.1 Additional Payments**

The LGB may make payments as they see fit to teachers (other than the Headteacher) in respect of:

- Those who undertake professional development outside of directed hours, where an additional payment at their substantive salary point (or they may be allowed an equivalent period of time off) in lieu may be paid.
- Those who undertake activities related to the provision of Initial Teacher Training (ITT) as part of the ordinary conduct of the academy.

- Those who take part in out of academy hours learning activities as agreed between the teacher and the Headteacher.
- Those who take on additional responsibilities and/or activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional academies.

Any payments made for continued professional development will exclude additional allowances and will be made through normal payroll arrangements.

The LGB have determined that they will not exercise their discretion to make additional payment to teachers for out of academy learning activities, except where in connection with a specific, funded, scheme (e.g. One to One Tuition). In such circumstances the payment will be determined by the scheme or paid at 'supply teacher' rate, if no specific provision is made within the scheme. The LGB will determine and make clear which is applicable at the time the request/offer is made.

## **8.2 Recruitment and Retention Incentives and Benefits**

The LGB may decide to exercise the discretion to award Recruitment and Retention Incentives and Benefits. If so, a list of subject areas and posts for which the LGB is likely to experience recruitment difficulties will be determined. The LGB will be advised by the Headteacher, and may access information available from Government, and other relevant sources. Headteachers may not be awarded recruitment and retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to a Headteacher must be taken into account when determining the Headteacher's pay range.

Academy representatives of Professional Associations and Trade Unions will have been consulted about the adoption of recruitment and retention incentives/benefits before any decision is made by the LGB and the agreed list will be made available to staff. The LGB is mindful that if a recruitment and retention allowance is awarded to one teacher in a post, all other teachers in similar shortage subject posts should also be awarded the same level of allowance, unless there is good reason not to award the same payment.

When carrying out the statutory annual salary reviews, the Pay Policy Committee will decide whether recruitment and retention incentives and benefits should be offered to new or existing teachers, if so the nature, value, duration and the circumstances in which they will be paid. Where a teacher is given an incentive or benefit, written notification given at the time will state,

- Whether the award is for recruitment or retention
- The nature of the award, (cash sums, % up rate of salary, travel, housing costs, childcare, health provision etc)
- When/how it will be paid
- Unless it is a one off award the start date and duration of the incentive
- The basis for any uplifts which will be applied as applicable.

Recruitment and Retention Allowances

The criteria for which the Pay Policy Committee may consider whether it is necessary to award a recruitment and retention allowance, will be:

- When a post has been widely advertised at least twice and it is not possible to appoint a suitable candidate.
- Post in shortage areas as defined by the LGB.
- A vacant post for which the academy is likely to experience recruitment difficulties, based on prior experience.
- A post for which the academy would probably experience recruitment difficulties if the post were to become vacant, based on prior experience and available information.

*(Please see Advice and Guidance Section for further guidance on how the academy might implement the use of Recruitment and Retention Payments.)*

The relevant LGB Committee will not award a recruitment and retention allowance to a teacher whose performance has not been satisfactory in the last academic year, nor will a recruitment and retention allowance be paid during any period of unsatisfactory service. The Headteacher will advise the Committee on the award and continuation of recruitment allowances.

The LGB will review the level of payments annually.

The LGB will pay recruitment awards to \_\_\_\_\_ of £ \_\_\_\_\_ to be reviewed annually in the circumstances described above. The LGB will pay retention awards to \_\_\_\_\_ of £ \_\_\_\_\_ for \_\_\_\_\_ years. This may be extended in “exceptional circumstances”. The use of any recruitment or retention payments will be reviewed at least every 3 years to ensure the criteria are still relevant.

After 3 years of the agreement to pay a recruitment and retention payment may be phased out in equal instalments over a period of time equivalent to the duration of the allowance to a maximum of 3 years.

#### Recruitment and Retention Benefits

The consideration of awarding such benefits as travel, housing costs, childcare, health provision etc will be undertaken on a post by post basis taking into account:

- ❖ Any difficulties in attracting suitable applications for the post,
- ❖ Identified shortage areas,
- ❖ Specific identified challenges for prospective employees in attending for interview and/or accepting a post.

The extent of any award granted will be confirmed in writing by the LGB. Any ongoing benefit(s) will be awarded on a time limited basis, to a maximum of 3 years. Staff members may request the continuation of a benefit at the commencement of the academic year in which it is due to end and the LGB will consider, in the light of the awarding criteria, whether to renew the benefit for a new fixed term, give notice of cessation or provide for the benefit to be phased out.

No recruitment or retention benefits will be awarded to a Headteacher where such reason or circumstance has already been taken into account in determining the ISR.

Any award, including a non-monetary benefit (which will be assigned a monetary value) must not cause the overall limit available for discretionary payments to Headteachers to be exceeded.

### **8.3 Residential duties**

Teachers working in residential special schools are normally entitled to be paid for residential duties in accordance with national agreements reached by the Joint Negotiating Committee for Teachers in Residential Establishments.

### **8.4 Honoraria**

The LGB will not pay any honoraria to any member of teaching staff.

**SALARY STATEMENTS**

The School Teachers' Pay and Conditions Document requires that when the relevant body has determined the remuneration of a teacher, it must, at the earliest opportunity – and in any event not later than one month after the determination – ensure that the teacher is notified in writing of that determination.

Therefore, a Salary Statement will be issued to each teacher each year after the performance and statutory Salary Reviews.

A teacher's Salary Statement will show an assessment of basic salary and allowances. It will also include any safeguarding if appropriate.

The Statement will specifically include:

- The teacher's salary range (Main, Upper Pay Range, Leading Practitioner, Leadership Group)
- Any points awarded for experience/performance on the Main Pay Range and any performance points on the Upper (post Threshold) Pay Range
- Any TLR payment
- Any allowance for teaching children with Special Educational Needs
- Any Recruitment and Retention allowance and whether it is permanent or to be reviewed, including the date for review
- Any other appropriate allowances
- Any appropriate safeguarding
- The teacher's actual salary

**PAY POLICY ANNEXES**

[Insert copy of the Academy's Staffing Structure and Implementation Plan, (where appropriate)]

## **APPENDIX B**

### **UPPER PAY RANGE PROGRESSION CRITERIA**

#### **1. Professional Attributes**

- 1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

#### **2. Professional knowledge and understanding**

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up to date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy, including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

#### **3. Professional skills**

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and Mentoring, demonstrating effective practice and providing advice and feedback.

# Request for Assessment to be Paid on the Upper Pay Range

**This form should be handled in confidence at all times**

## **Eligibility criteria**

- In order to be assessed you will need to:
  - Hold Qualified Teacher Status on the date of your request; and
  - Be statutorily employed under the STPCD.
- All those wishing be paid on the Upper Pay Range will need to meet the criteria specified on the back of this form.
- Please enclose copies of the paperwork that forms the basis of the application to be paid on the Upper Pay Range.
- Print, sign and date the form, keeping a copy and pass it to your Headteacher by **31 October ....**

# UPPER PAY RANGE PROGRESSION CRITERIA

## **(1) Professional attributes**

- 1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

## **(2) Professional knowledge and understanding**

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

## **(3) Professional skills**

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relating to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.



## Part 1: Teacher details

To be completed by the teacher

### Personal details

Surname \_\_\_\_\_

First name(s) \_\_\_\_\_

Previous surname (if applicable) \_\_\_\_\_

DfE number \_\_\_\_\_

Performance Management/Appraisal Details:

Year(s) covered by Planning/Review Statement(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Schools/Academies covered by Planning/Review Statement

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Declaration by the teacher

I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or performance management statements covering the relevant period prior to this request for assessment against the Upper Pay Range Criteria.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## Part 2: Actions for the Headteacher

Check that the teacher is eligible to be assessed, according to the requirements of the Academy's Pay Policy.

- Before assessing whether the teacher meets the criteria to be paid on UPR the Headteacher must first be satisfied, on the basis of the evidence contained in the appraisal reports and planning review statements, that the teacher meets the Teachers' Standards. If the Teachers' Standards are not met, you must write to the teacher setting out the rationale for the judgement.
- If the Teachers' Standards are met, the Headteacher then goes on to assess whether the teacher meets the criteria for UPR progression set out on Page 2 of this form, having regard to the evidence contained in the appraisal report and/or planning and review statements.
- Make an overall judgement on whether the criteria are met/not met.
- Complete the Headteacher's statement (see page 5)
- Sign, date and copy the form.
- Promptly report this recommendation to the LGB for their ratification, and inform the teacher.
- Inform the teacher in writing of the outcome within 20 working days of reporting to the LGB.
- Provide the teacher with a copy of the written feedback showing clearly where the Upper Pay Range criteria *have been met or not met*.
- It would be good practice to ensure the teacher's appraiser is informed of any recommendations for the teacher's future development.
- Where progress to the UPR is not awarded, provide the teacher with details of the academy's procedure for making representations and for appeal.

**Application to be paid on Upper Pay Range- Feedback**  
**To be completed by the Headteacher**

Name of teacher: \_\_\_\_\_

Academy/LA service: \_\_\_\_\_

Please record your overall judgements below

## Teachers' Standards

To be successful, the teacher must meet the Teachers' Standards as well as the criteria for payment on the Upper Pay Range. If these have not been met you should provide a detailed explanation below.

**Criteria to be paid on Upper Pay Range:**

If, in your assessment, the criteria have not yet been met, throughout the relevant period, please provide below a detailed explanation of your judgement.

Otherwise, please indicate any areas of particular strength and areas for further professional development for the teacher: -

Teachers' Standards/UPR Criteria (please delete as appropriate)	met/not met

Signature: \_\_\_\_\_ Print Name \_\_\_\_\_

Academy Name:

Date: \_\_\_\_\_

**NB** This page should be passed back to the teacher.