

Schools Pay Policy

About this chapter

Summary

This chapter describes the Schools' Pay Policy. Refer to the table of contents, below, for a full list of topics covered.

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Version control

The table below shows the history of the document and the changes that were made at each version:

Version	Date	Summary of changes
Final	2 March 2007	First published version.
	6 August 2007	5.1 & 5.2: Clarification of pay determination for Headteachers, Deputy Headteachers and Assistant Headteachers.
2.0	August 2009	3.6 to 3.11: Clarification on Short Notice Teachers pay determination, Part Time Teachers pay calculation, assessments of ASTs, ETs and Chartered London Teachers. 3.13: Clarification on SEN allowances. 6.1: Deletion of Management Allowances section as this ceased in December 2008 and is no longer applicable. The following safeguarding arrangements came to an end on 31 December 2008; Management allowances, Assimilation safeguarding, Social priority allowance and Inner London Area Supplement. Any such payments should have ended on that date.

Version	Date	Summary of changes
3.0	August 2010	<ul style="list-style-type: none"> • Pay scales bringing in a 2.3% pay award from 1st September 2009 have been incorporated into the <i>School Teachers' Pay and Conditions Document (STPCD) 2009</i>, Paras 6.4, 17.3, 19.2, 27.1 & 35.3. • An increase of 2.3% in the value of the TLR1 & TLR2 ranges (Para 21.2 STPCD) from 01st September 2009; a requirement to increase all TLR's in payment by 2.3 % from 01st September 2009 (STPCD Para 22). • An increase of 2.3% in the value of SEN allowances (STPCD Para 25.1) • Additional increases for some main & upper pay scale teachers in inner London • New arrangements for calculating the remuneration of Headteachers when they are appointed as a Headteacher of more than one school either in a temporary (STPCD Para 12.2.9) or permanent (STPCD Para 12.2.7) capacity. Consideration needs to be given to the pay of other teachers as well if Heads take on extra responsibility. • Changes to the threshold application arrangements in England (STPCD Paras 19 & 20) • Revised arrangements for excellent Teachers' pay, with the introduction of a separate range for each of the four geographical areas (STPCD Para 33.3) • A provision for the relevant body to make additional payments for the cost of services provided by the Headteacher of one school to another and to decide what payment, if any, should be made to the Headteacher and other Teachers as a result. • The annual limit of 38 hours on the amount of cover (STPCD Para 72.9.1 to 72.9.3) that can be carried out by Teachers is removed and, instead, Teaches will be required to cover only rarely.
4.0	November 2010	Corrected a typographical error in section 7.4 (on page 30).

Version	Date	Summary of changes
5.0	JUNE 2013	<ul style="list-style-type: none"> • UPDATES FROM 2012 STPCD - UPDATE • TAKEN FROM SECTION 1 – WHICH DOES NOT FORM PART OF THE STATUTORY GUIDANCE • The ending of annual incremental pay progression for all pay progression after the 2013 pay award. Pay awards made in September 2013 will be based on the 2012 pay system of incremental pay. (STPCD 2013 para 14) • The introduction of pay progression linked to performance for all pay from September 2013 onwards. This will become apparent from September 2014. (STPCD 2013 para 21) • The removal of Advance Skills Teachers (ASTs) and Excellent Teachers pay scales and assessment arrangements; • The introduction of a new pay range for leading practitioners whose primary purpose is to model and lead the improvement of teaching skills (STPCD 2013 para 18) • A new simpler criteria of the current threshold progression from the main to the upper pay range (STPCD 2013 para 17) • Schools given more freedom to determine starting salaries of teachers to the school (STPCD 2013 para 15-21) • To remove any obligation to match teachers existing salary on either the main, the upper or the unqualified pay scale (DRAFT STPCD 2013 para 14) • The introduction of TLR3 – a fixed term teaching and learning responsibility (STPCD 2013 para 25) • The removal of the three year limit on recruitment and retention allowances (STPCD 2013 para 47) • Section 3 – Guidance for Local Authorities, School Leaders, School Teachers and Governing Bodies of Maintained Schools is significantly shorter than the 2012 version and only contains guidance that is essential to retain in statutory form.

Distribution

Distribution is:

- HR Team.
- Governing Bodies.
- Headteachers.
- Recognised Trades Unions.

The following model pay policy may be adapted as necessary by the Governing Body and adopted for use by the school. Any adaptations by the Governing Body should be made with regard to its discretionary powers and will not affect the mandatory elements as determined by the *School Teachers' Pay and Conditions Document*. Care should be taken to ensure a relevant and applicable version is adopted by the Governing Body.

Introduction

This document sets out the basis on which the Governing Body will determine all school employees' pay. It also establishes the procedures for determining appeals.

When taking pay decisions, Governing Bodies, schools and the local authority must have regard to both the pay policy and to the particular post within the staffing structure.

[A copy of the current staffing structure must be attached to this pay policy]

This document should be published to all staff.

The schools pay policy and the staffing and pay structure should be reviewed annually and in consultation with staff and their representatives, or whenever significant changes in national and local agreements on pay and conditions necessitate a review.

Policy Statement

The Governing Body will adopt a 'whole school' approach to pay issues. Pay decisions will be taken in the context of full consideration of the resources available to the school. This means that pay decisions relating to any given group of staff will not be taken in isolation, and that all pay decisions will be taken in the context of the school as a whole.

This policy aims to ensure fair and equitable treatment for both teaching and support staff. These procedures for determining pay are consistent with the principles of public life and will ensure objectivity, openness and accountability.

The overall objective of this policy is to ensure that all teaching and support staff are valued, treated fairly and receive recognition for their work and their contribution to school life.

When advertising all posts the school will provide job applicants with the appropriate salary details.

All information on which pay decisions are based will be treated with strict confidentiality.

Equal Opportunities

The school is committed to promoting equalities in all areas of employment and to challenging discrimination and stereotyping.

The school seeks to use this pay policy to maintain and promote equal opportunities within the school and ensure that no member of staff is discriminated against for any reason.

The school will provide appropriate support to all staff and will give them sufficient opportunity to have their training and development needs reviewed regularly as part of the performance management review arrangements.

The school will make every effort to address the needs of those with visual, mobility and hearing impairments and will make any reasonable adjustments necessary in order to overcome any barriers to access.

All schools are expected to give The Learning Trust equalities monitoring data, including related to pay, on their staff returns.

Access to Salary Records

The school holds personal files for all staff. Staff may have access to their salary records by making a written request to the Senior Administrative Officer or the School Business Manager. The member of staff should make an appointment two days in advance with the Senior Administrative Officer or the School Business Manager. Two days written notice, using the Request to Access Employee's Personnel File Form, should be given by anyone who is authorised to consult a specific personal file.

When the Pay Committee makes a reasonable request for salary information this should be extracted from the employee's personal file and supplied. All salary information is held and processed according to the principles contained within the Data Protection Act 1998.

Key Legislation

This pay policy ensures the schools compliance with The Equal Pay Act 1970, The Race Relations Act 1976, The Sex Discrimination Act 1975 and 1986, The Disability Discrimination Act 1995, The Employment Rights Act 1996, and The Employment Act 2002, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Equality (Age) Regulations 2006, The Employment Equality (Sexual Orientation) Regulations 2003, The Employment Equality (Religion and Belief) Regulations 2003, The Employment Act 2008, and the Agency Workers Regulations 2010.

In implementing this policy the Governing Body will work within the national and local agreements on pay and conditions of service and the accompanying statutory and non-statutory guidance.

Staff and union representatives will be consulted on any changes to this document. It will be reviewed each year, or when other changes occur to the *School Teachers' Pay and Conditions Document/Burgundy Book* and/or changes to support staff pay and conditions of employment.

School Pay Policy

This policy has been formally adopted by the Governing Body of

_____ (school)

on _____ (date).

1. Principles – All school staff

1.1. The Relevant Pay Committee

Only the Governing Body has the power to agree the pay policy and to approve the membership and the terms of reference for committees. The membership of committees may change from time to time subject to full Governing Body approval. A Personnel/Pay Committee may include staff Governors but such membership should be excluded where a personal interest exists.

It is recommended that membership of the Relevant Pay Committee consists of at least three Governors plus the Headteacher with a quorum of three governors, to include a non-staff governor, and the Headteacher or his/her substitute. The Governing Body should insert its own arrangements for making pay decisions if these differ from those set out below.

Note: Additional advice on committee structures and terms of reference can also be provided by Hackney School Governors' Association (HASGA) or by The Learning Trust's Governors' Support Services.

1.1.1. Terms of Reference

- To implement the pay policy with reference to staffing and financial budget plans.
- To achieve the aims of the pay policy in a fair and equitable manner and within statutory and contractual obligations.
- To apply the criteria of the pay policy consistently in determining the pay for each member of staff in the annual review.
- To determine the size of the leadership group; and set an Individual School Range (ISR) for the Headteacher Leadership Pay range and for other staff on the Leadership Pay Spine and decide where leadership group members should be placed on these.
- To consider difficult and discretionary pay issues, such as the use of recruitment and retention incentives.

The Relevant Pay Committee shall also be required to:

- Minute all decisions taken and submit these minutes to the Governing Body as required.
- Keep abreast of any relevant developments and advise the Governing Body when the pay policy needs updating.
- Observe all statutory, non-statutory and contractual conditions in respect of pay matters.
- Maintain the strictest confidentiality.

- Recommend to the Finance Committee any budget adjustments needed for annual pay reviews.
- To work with the Headteacher to ensure that the governing body complies with the Appraisal Regulations for Teachers 2012

1.2. The Headteacher

Although the Relevant Pay Committee has overall responsibility for the management of the pay policy, it is not always practical for every single pay decision to be referred to it. Therefore the Headteacher has delegated responsibility for the following:

- Setting performance objectives and carrying out performance reviews as required.
- Ensuring affective appraisal arrangements are in place and that appraisers have the knowledge and skills to apply procedures fairly.
- Approving salary assessments for all staff (except the Headteacher)
- Ensuring that when pay recommendations are made to the governing body that they are provided with sufficient and appropriate information to make pay decisions.
- Applying pay discretions where these are clear and non-contentious within the scope of the policy.
- Overseeing temporary and supply staff appointments.
- Reviewing, drafting and finalising job descriptions for all staff.
- Ensuring teachers are informed about pay decisions reached, and that records are kept of recommendations and decisions made

1.3. Pay Appeals Procedure

An employee may seek a review of any decision taken in relation to their pay.

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

- that the person or committee by whom the decision was made:
 - incorrectly applied any provision of this document
 - failed to have proper regard for statutory guidance
 - failed to take proper account of relevant evidence
 - took account of irrelevant or inaccurate evidence
 - was biased, or
 - otherwise unlawfully discriminated against the employee.

1.4. Procedures

The order of proceedings is as follows:

1. The employee receives written confirmation of the pay determination and, where applicable, the basis on which the decision was made.
2. If the employee is not satisfied, they should seek to resolve this by discussing the matter informally (normally with the Headteacher) within 10 working days of the decision.
3. Where this is not possible or where the employee continues to be dissatisfied, they may follow a formal appeal process.
4. The employee should set down in writing the grounds for questioning the pay decision and send it to the Chair of the Relevant Pay Committee who made the determination, within 10 working days of the notification of the decision being appealed against or of the outcome of the informal discussion referred to above. This time limit may be extended by either side if good and sufficient reason is given.
5. If the employee wishes to submit any written evidence as part of their appeal they must do so at least 5 working days before the planned hearing.
6. The Relevant Pay Committee should provide a hearing, normally within 10 working days of the receipt of the written grounds for questioning the pay decision to consider this and to give the employee an opportunity to make representations in person. The decision will be given in writing within 10 working days and will notify the employee of their right to appeal.
7. Should the employee continue to be dissatisfied they can appeal within 5 working days of the written notification of the Relevant Pay Committee's decision, setting out their grounds for appeal.
8. Any appeal should be heard by a panel of (preferably) three non-staff governors who were not part of the original pay decision. The appeal hearing should normally be held within 20 working days of the date of the written appeal notification and giving the employee at least 10 working days' notice of the date of the appeal.
9. For any hearing the employee is entitled to be accompanied by a colleague or union representative. Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable and must allow both parties to explain their case.

10. This procedure performs the function of the grievance procedure and therefore pay decisions should not be reopened under the general grievance procedures.

11. In the event of a complaint by the Headteacher, the Chair of Governors will act as the Review Officer, unless the Chair has been previously involved in the performance review proceedings. In this case another non-staff Governor should act as the Review Officer.

2. Basic Pay Determination – All school staff

2.1. Performance Management

All members of school staff are required to participate in arrangements made for the annual review of their performance. This will be managed in accordance with Appraisal Policy, which is based on the national revised appraisal arrangements which came into force from 1st September 2012.

Relevant information from performance management reviews will be taken into account when taking pay decisions or when advising those responsible for taking pay decisions in relation to the annual pay review process.

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for performance pay progression at all levels.

2.2. Job Descriptions

All members of school staff will be provided with a job description. Staff will be consulted over the drawing up of the contents. The task of reviewing, drafting and finalising job descriptions is delegated to the Headteacher.

Job descriptions may be periodically reviewed, in consultation with the employee concerned, in order to make reasonable changes. Any member of staff is entitled to request a review of their existing job description. Any such request will be considered first by the Headteacher and then by the Personnel Committee where requested.

2.3. Training and Development

All employees will be encouraged and supported in their development through appropriate training. The opportunity will be made available to review their needs with their line manager.

2.4. Capability or Disciplinary Action

Being subject to capability or disciplinary action which is proven may have an impact on the pay review for that or the following academic year.

However, the incremental point may be considered following a further pay review retrospectively if the capability or disciplinary process is discontinued or if the employee makes sufficient progress to reach a satisfactory level of performance.

The employee concerned should be formally notified of the possibility of not being awarded the forthcoming incremental point as soon as possible. Every effort should be made to provide the employee with the appropriate support and training to help them improve their performance within the context of the capability framework.

3. Teaching Staff

3.1. Pay Reviews

The Relevant Pay Committee will ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the Headteacher for whom the deadline is 31 December) each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled. Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given within one month after any review and where applicable will give information about the basis on which it was made.

Individual teachers may make a written submission to the Relevant Pay Committee for particular consideration of their salary assessment.

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

Where a teacher is absent from work for a significant period of time, for example due to maternity or long term sickness absence, the Pay Committee will still undertake performance and pay reviews for that member of staff.

Where a teacher is on secondment or is acting up, the relevant Pay Committee will still undertake performance and pay reviews for that member of staff.

3.2. Classroom Teachers on the Main Scale

On appointment the Relevant Pay Committee will determine the starting salary of a classroom teacher post on the main pay range taking into consideration:

- The requirements of the post.
- Specialist knowledge required for the post.

- The experience required to undertake the specific duties of the post.
- The wider school context.

The governing body will, if necessary, use its discretion to award a recruitment and incentive benefit to secure the candidate of its choice. Very clear and specific criteria should be adopted if doing so and documented evidence may be required to verify any experience claimed.

3.2.1 Pay Determination for existing main scale teachers effective from September 2013

The Relevant Pay Committee will follow the provisions of the STPCD 2012 and award a point on the main scale pay range. If however capability or disciplinary proceedings are underway section 2.4 of this policy will apply.

Where the teacher is subject to the Appraisal Regulations 2012, the relevant pay committee will award one additional point provided the teachers performance in the previous year was outstanding.

3.2.2 Pay Determination for existing main scale teachers effective from September 2014

The pay committee will set their pay structures within the appropriate main scale teachers pay range, and may wish to continue with a 6 point range (recommended) or a structure that they feel meets the needs of the school, however in doing so further negotiating with unions will be required. One Option would be

a. 6 point range

Minimum –	1	£27,000
	2	£28,408
	3	£29,889
	4	£31,446
	5	£33,865
Maximum	6	£36,387

(Pay award pending)

To move up the main pay range one point at a time, the teacher will be required to perform to a 'good' standard, and evidence that they are competent in all elements of the Teacher Standards and to have met their objectives that year. All judgements will be supported by evidence, which must show:

- Positive impact on pupil progress
- Impact on wider outcomes for children
- Improvement in specific elements of practice i.e. lesson planning, behaviour
- Increased contribution to the work of the school
- Impact of effectiveness on staff and colleagues

3.3. Moving to Upper Pay Range

Teachers who had reached point M6 on 1st September 2012 of the Main Pay Scale and wish to apply for performance threshold assessment may do so before the 31st October 2013, under Round 13.

The Headteacher will consider each application against the DCSF statutory performance threshold standards as set out in the *School Teachers' Pay and Conditions Document 2012*.

Teachers who make successful applications will be placed on point 1 of the upper pay scale with effect from 1 September 2013.

From September 2013 teachers appointed to the school who have previously become entitled to be paid on the upper pay range will not retain their entitlement to any points already awarded on this scale.

Teachers who are unsuccessful in passing the performance threshold assessment should be given written reasons, detailing which standards have been met and those which have not. It is expected that normally any concerns will have already been shared with the teacher during the last 2 years, targets set and reviewed. Written reasons should be given within 20 working days of the decision being notified to the Governing Body by the Headteacher. They are also entitled to receive clear advice on how they need to develop in order to reach the threshold standards. If they wish to appeal against this decision they should follow the procedures outlined in *Pay Appeals Procedure*, on page 12.

In accordance with the STPCD 2013 any qualified teacher can apply to be on the upper pay range. Only one application can be made each year. Separate applications can be made if the teacher works at another school. There is no obligation on one school to honour any pay decisions made by another school.

Applications must:

- be made on the appropriate application and submitted to the headteacher;
- be submitted by 31 October in each year (consideration will be given to accepting late applications where individual circumstances eg absence prevent this deadline being met).

The Criteria

An application will be successful, if the headteacher and the Pay Committee are satisfied that:

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

In this school, this means that the teacher has consistently

- demonstrated that they meet all teaching standards, both in terms of teaching and personal and professional conduct, over a sustained period:

- been assessed as meeting their performance management objectives over a sustained period;

and in addition that;

- teaching has been rated as good overall, with some outstanding, over a sustained period;

- the teacher has demonstrated over a sustained period an ability to support some pupils to exceed expected levels of progress/achievement;

- the teacher has consistently taken responsibility for identifying and meeting their own professional development needs and used their learning to improve their own practice and pupils' learning

- the teacher has demonstrated that they have made an impact on the school beyond their own class/group(s) over a sustained period. This may include

- ✓ demonstrating an ability to coach, mentor, advise and demonstrate best practice to, other teachers to enable them to improve their teaching practice;

- ✓ contributing to policy and practice which has improved teaching and learning across the school;

Sustained means maintained continuously over a period of at least 3 school years (a year being defined as at least 26 weeks work in any academic year). It is normally expected that this will include at least one year at this school, although discretion will be exercised where there is clear and compelling evidence of consistent performance against the criteria at the teacher's previous school.

Only 2 years' worth of evidence will be required from teachers who are on the equivalent of old points M4, M5 or M6 on 1 September 2013, so that they are not disadvantaged in comparison to the previous Threshold criteria.

The school will exercise its discretion to consider performance over a lesser period where a teacher has been absent for some of the relevant period.

3.4. Post Threshold Teachers

Progression through the upper pay scale is not automatic. Teachers can only progress if their performance has been reviewed and they have made a substantial and sustained contribution to the school.

Teachers should normally spend two years on each upper pay scale point before being considered for pay progression. Progression to the next point on the Upper Pay Scale will be based on two successful consecutive annual performance management reviews. In exceptional circumstances the Pay Committee can award progression to the next point on the upper pay scale faster than this.

In circumstances where a teacher has moved from another school during the last two years, there is no obligation to honour the pay range they were previously receiving. Annual Review

All teachers will have their pay reviewed annually in accordance with the Appraisal Policy

3.5. Short Notice Teachers

Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of the *School Teachers' Pay and Conditions Document* on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro-rata.

Teachers should be paid for all the hours they are required to be on the school premises. Allowance should be made for non-contact time.

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 be divided by 195 then divided again by 6.48 (1265/195) or the total length of the school's pupil day 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 they would have received had they been in regular employment throughout the period.

3.6. Part Time Teachers

Teachers employed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part-time. The Governing Body will give them a 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 in comparison with the school's timetabled teaching week for a full time teacher in an equivalent post.

Part-time teachers are entitled to PPA time pro-rata to full-time teachers. Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary. The same percentage must be applied to any allowances awarded to the part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the head teacher should also be paid at the same rate.

A calculator is available on teacher net to assist with this calculation. <http://www.teachernet.gov.uk/docbank/index.cfm?id=12828>

The salary of any person employed as a part-time teacher on 31 August 2008 must be re-determined by the relevant pay committee in accordance with the *School Teachers' Pay and Conditions Document* with effect from 1 September 2008. In the event that this re-determination, plus any additional points awarded, results in a lower salary then the difference should have been safeguarded for up to three years from 1 September 2008.

The relevant pay committee should ensure that, with effect from 1 September 2008, all teachers employed on a part-time basis are provided with a written agreed statement which sets out the expectations of the school and the part-time teacher, regarding the deployment of directed time both within and beyond the school day in accordance with the professional duties as set out within the *School Teachers' Pay and Conditions Document*.

Note: The contractual change from September 2005 gives part-time Teachers entitlement to PPA time (Para 75.2 *School Teachers' Pay and Conditions Document*).
Governing bodies are responsible for ensuring that part-time teachers have a clear statement of the sessions and hours they will be required to work.

3.7. Supply Teachers

The pay of supply teachers employed via agencies is determined by the agency concerned.

3.8 Leading Practitioner Posts

The Leading Practitioner range is for teacher who support the modelling and improvement of teaching skills. For teachers working in this capacity, additional duties will be set out in the job description which link to developing, implementing and improving school effectiveness and performance of staff, colleagues and pupils.

1	£
2	£
3	£
4	£
5	£

(To be confirmed 2013 STPCD)

Pay determination has a minimum and maximum range, and the pay committee will be responsible for determining where within that range a post will be placed.

Advanced skills teachers and Excellent Teacher post will cease effective from 1st September 2013. Employers will be required to find suitable alternative employment for these posts. The options are:

- a) Move teachers directly to the Leading Practitioner range
- b) If the school no longer requires such posts, these staff can be move to the upper pay range and salary safeguarded for 3 years
- c) Consideration to moving to the leadership group

The decision taken by the school will be dependent of the wider school context.

3.9. Special Educational Needs Allowances

SEN allowance 1 will be awarded automatically to all classroom teachers in a special school. In a mainstream school it may be awarded to all classroom teachers who are engaged wholly or mainly in taking charge of special classes of children who are hearing-impaired or visually impaired or who teach pupils with statements of special educational needs in designated special classes.

The allowance may also be awarded to classroom teachers who make a particular contribution to the teaching of pupils with SEN, which is significantly greater than that which would normally be expected of a classroom teacher.

SEN allowance 2 will be awarded to classroom teachers who qualify for SEN allowance 1 and who:

- Hold a recognised special educational needs qualification.

and/or

- Where the relevant pay committee consider that their experience and/or qualifications enhance the value of the work they undertake with special needs pupils.

Please note, the statutory pay guidance states that:

SEN allowances may be held at the same time as TLRs. However, relevant bodies should, when reviewing their staffing structures and keeping them under review:

- Ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of discretionary SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff.
- Consider whether, if teachers have responsibilities that meet the principles for the award of TLR payments it would not be more appropriate to award a TLR payment **instead of** a discretionary SEN allowance of a lower value.
- Consider whether discretionary SEN payments made by the relevant body under its pay policy primarily for the purposes of recruitment and retention might not more appropriately be made using the separate provisions available for these purposes.
- Ensure that any responsibilities are clearly specified in individual teacher's job descriptions, and are clear in the school's published staffing structure.'

When considering the award of SEN2, the relevant body should in particular consider what relevant qualifications or experience holders of SEN1 have, and whether these are being used for the benefit of the school or service. SEN2 should be awarded to all whose qualifications or experience is in line with the relevant body's policy.

4. Unqualified Teachers

The Relevant Pay Committee 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 will be appointed above the minimum in the following circumstances:

4.1. Qualifications

- [***one**] point for a recognised overseas teaching qualification
- [***one**] point for a recognised post-16 teaching qualification
- [***one**] point for a first or second class honours degree (or equivalent as determined by the DCSF)
- [***one**] point for a recognised qualification relevant to their subject area

At the discretion of the Relevant Pay Committee, unqualified teachers who are on one of the employment based routes into teaching may be paid on the qualified or unqualified teachers' scale as long as they occupy a classroom or support teacher position. Overseas trained teachers will be paid on the unqualified teachers' pay scale, with an allowance to take them up to the qualified rate of pay at the equivalent spine point.

4.2. Experience

- One point on the unqualified teachers' scale for each period of [***one**] years of service as an overseas-trained teacher.
- One point on the unqualified teachers' scale for each period of [***one**] years of service teaching in further education, including sixth form colleges.
- One point on the unqualified teachers' scale for each period of [***one**] years of service teaching in higher education.

The Relevant Pay Committee will consider awarding on a case by case basis:

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

Note: *The Governing Body will need to insert the appropriate figure where indicated. The figures given are suggestions.

The Relevant Pay Committee will reserve discretion to withhold an experience point where performance has been unsatisfactory. However, this will only occur where formal action during the review year has been taken under the capability procedure or the disciplinary procedure.

The Relevant Pay Committee may review this position if, at the conclusion of any formal action, satisfactory performance has been achieved.

4.3. Unqualified Teachers' Allowance

The Relevant Pay Committee may pay an unqualified teachers' allowance to unqualified teachers when they consider the basic salary is not adequate having regard to their responsibilities, qualifications and experience.

5. Leadership Group

The Relevant Pay Committee is entitled to determine the size of the school's leadership group.

Headteachers will be paid on an Individual School Range of seven points on the Leadership Scale established by the Relevant Pay Committee. The Relevant Pay Committee will set the Headteacher's ISR according to the following criteria.

- The group size and circumstances of the school.
- Any difficulties in recruiting a Headteacher.
- Significant changes in job responsibilities.

The ISR can be set by reference to up to two school groups above the school's group size where the school is in difficulties and needs to appoint a new Headteacher, or where the existing ISR is not thought sufficient for recruitment or retention.

The ISR may be re-determined at any time if this is considered necessary to retain a Headteacher.

Deputy Headteachers and Assistant Headteachers should be paid on individual pay ranges of five points on the Leadership Scale. The Relevant Pay Committee will set the Deputy Headteacher's and Assistant Headteacher's ISR according to the following criteria.

- The group size and circumstances of the school.
- The responsibilities of the post.
- The social, economic and cultural background of the pupils.
- Whether the post is difficult to fill.

In order to reflect the differences in responsibility levels, there should be appropriate differentials between:

- The Headteacher and Deputy Headteacher.
- The Deputy Headteacher and Assistant Headteacher.
- The Deputy Headteacher and/or Assistant Headteacher and the highest paid classroom teacher in the school.

The pay ranges for Deputy Headteacher and Assistant Headteacher should not overlap with the ISR on which the Headteacher is paid.

When assessing the salary for the appointment of a new Headteacher, Deputy Headteacher or Assistant Headteacher, the Relevant Pay Committee may place the post holder on any of the bottom four points (in the case of the Headteacher) or the bottom three points (in the case of the Deputy Headteacher or Assistant Headteacher). The Relevant Pay Committee will determine the appropriate starting point according to individual circumstances.

5.1. Headteachers

A panel of three Governors will undertake annual performance reviews for the Headteacher and make recommendations to the relevant Pay Committee. This panel must not include any Staff Governors.

The Headteacher must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded.

The Relevant Pay Committee will consider the award of one point (maximum two for exceptional performance) where performance objectives have been met and there has been a sustained high quality of overall performance.

The Relevant Pay Committee will be advised by the appointed Governors of the agreed performance objectives and the outcome of the review of these. The Headteacher will be able to make submissions in the form of a verbal or written statement to the Relevant Pay Committee as part of their annual performance review. They should also be able to make written submissions commenting on the objectives set if these have not been agreed and the Relevant Pay Committee should take these into account during the annual performance review process. Annual pay progression within the range for this post is not automatic.

In considering whether performance objectives have been met, account will be taken of whether unforeseen circumstances may have led to a particular objective not being achieved.

In relation to the Headteacher's performance review the School Improvement Partner (SIP)* will assist with the process.

Save to the extent that a movement up the pay spine is necessary to ensure that the salary equals the minimum of the individual school range, a Headteacher's salary shall not be increased by more than two points in the course of one school year.

5.2. Deputy Headteachers and Assistant Headteachers

The Headteacher is responsible for undertaking annual performance reviews for other leadership group members.

Deputy Headteachers and Assistant Headteachers must demonstrate sustained high quality of performance, in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded.

The Relevant Pay Committee will consider the award of one point (two for exceptional performance) where performance objectives have been met and there has been a sustained high quality of overall performance.

The Relevant Pay Committee will be advised by the Headteacher of the agreed performance objectives and the outcome of the review of these. Deputy Headteachers and Assistant Headteachers will be able to make submissions in the form of a verbal or written statement to the Relevant Pay Committee as part of their annual performance review. They should also be able to make written submissions commenting on the objectives set if these have not been agreed and the Relevant Pay Committee should take these into account during the annual performance review process.

In considering whether performance objectives have been met, account will be taken of whether unforeseen circumstances may have led to a particular objective not being achieved.

Save to the extent that a movement up the pay spine is necessary to ensure that the salary of the Deputy Headteacher or Assistant Headteacher equals the minimum of the individual school pay range, the salary shall not be increased by more than two points in the course of one school year.

5.3. Acting (Leadership) Allowances

The Relevant Pay Committee will consider paying a teacher who is temporarily carrying out the full duties of an absent Headteacher, Deputy Headteacher or Assistant Headteacher at an appropriate point within the Headteacher's or deputy/Assistant Headteacher's pay ranges when the absence extends beyond four weeks. The increase in salary will be backdated to the first day of absence. The level of allowance must be at least at the minimum leadership spine point payable in the school for the post in which the teacher is acting.

In the case of planned prolonged absence, an acting pay point within the applicable pay range should be established in advance and payment made as soon as the duties are taken up.

Except in the case of the Deputy Headteacher, who is contractually obliged to act as the Headteacher in their absence, any member of staff acting up to a higher position should have first agreed to take on the acting duties in question.

Acting up allowances for any position other than a leadership group member (including support staff posts) will be determined by the Headteacher, taking into account the responsibilities of the post, the salary of the person acting up and the post holder's salary.

6. Discretionary Allowances and Payment

6.1. Teaching and Learning Responsibility Payments (TLRs)

The Governing Body will award TLR payments to teachers who occupy posts of additional responsibility in accordance with the statutory provisions of the *School Teachers' Pay and Conditions Document*.

TLRs will be awarded to the holders of the posts indicated in the attached staffing structure. The school may determine whether to award a TLR1 or a TLR2.

[Each school may decide its own levels of TLR payments subject to minimum annual values as specified within the *School Teachers' Pay and Conditions Document* and provided there is a minimum differential of £1,500 between each level of payment. The TLR1 is paid at a higher amount than the TLR2.]

TLRs may only be awarded in the context of the school's staffing structure and pay policy.

6.1.1. Criterion and Factors for Award of TLRs

Criterion

A Teaching and Learning Responsibility payment may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which they are made accountable.

Temporary or fixed-term TLRs cannot be paid except where a teacher is occupying another post in the temporary absence of the post holder. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post holder.

TLRs awarded to teachers employed under a fixed term contract or whilst they occupy another post in the temporary absence of the post holder will not be safeguarded after the fixed term contract expires or after the date (or circumstance if occurring earlier than that date) as notified to the teacher, which will bring the fixed period or fixed term contract to an end.

Factors

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

- Is focused on teaching and learning.
- Requires the exercise of a teacher's professional skills and judgement.
- Requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum.
- Has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.
- Involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR1, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes line management responsibility for a significant number of people.

Values

The values of TLRs must fall within the following ranges;

- the annual value of a TLR1 is £7,158 - £12,114
- the annual value of a TLR 2 is £2,478 - £6,057
- the annual value of a TLR 3 is £500 - £2,500

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

If a post meets the criterion and all of the factors, this does not mean automatically that the post will be graded as a TLR1.

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

A TLR is a payment integral to a post in the schools staffing structure and therefore may only be held by two or more people when job sharing that post.

TLR payments will cease when teachers move to different schools. They can also cease where any teacher refuses to perform the responsibilities, is dismissed from them or where responsibilities are restructured.

TLRs awarded to part-time teachers must be paid pro rata at the same proportion as the teachers' part time contract.

TLR's payment can be awarded on a fixed term basis; this allowance is called TLR 3 and is for clearly time limited school improvement project or one off externally driven responsibilities. The governing body will be required to set out in writing to the teacher the duration of the fixed term, and the amount of the award to be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

6.2. Continuing Professional Development (CPD)

Teachers (including Headteachers) who undertake voluntary CPD outside the school day will be entitled to an additional payment.

The Relevant Pay Committee will consider payments to teachers for the above where it is demonstrated that they are currently engaged in such activities and where it is financially practicable for the school to do so.

6.3. Recruitment and Retention Incentives and Benefits

The Relevant Pay Committee may consider paying recruitment or retention awards in circumstances where they anticipate or encounter recruitment and/or retention difficulties. This may be awarded as an annual allowance, lump sum payment or periodic payment. If the pay committee think it is relevant to apply this incentive they will clearly state in writing to the employee the amount and review date that the incentive may be withdrawn.

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

Payments may only be made for Recruitment and Retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

In particular the Relevant Pay Committee will determine:

- Whether the award is for recruitment or retention.
- The nature of the award.
- When/how the award will be paid.
- The start date and duration of the award
- The basis for any uplift that may be applied.

The Relevant Pay Committee will award such allowances where, in their view:

- The post is considered to be difficult to fill.
- The post holder teaches a subject in which there is a shortage of teachers.

and will ensure that these criteria are consistently applied.

A review of rates will be necessary if the governing body intends to increase the level of these awards in line with general increases to salaries, or in other circumstances which the governing body may determine.

Schools should consider making use of existing pay facilities within the *School Teachers' Pay and Conditions Document* – for example to help with the recruitment of teachers of shortage subjects such as mathematics, physics and chemistry. Schools will be expected to meet the costs of any payments from within the budgets they have available.

Schools participating in the Golden Handcuffs scheme should include a reference to how decisions will be made on who will receive such payments and the circumstances under which they will be paid, if at all. Further information is available from the Teachernet website at:

<http://www.teachernet.gov.uk/professionaldevelopment/careers/goldenhandcuff/>

6.4. Initial Teacher Training Activities (ITT)

The Relevant Pay Committee has discretion to make additional payments to all teachers (including Headteacher) who undertake voluntarily school based activities.

The Relevant Pay Committee will consider payments to teachers where it is demonstrated that they are currently engaged in such activities and where it is financially practicable for the school to do so.

Suggested areas include: supervising and observing teaching practice, planning an initial teacher training course; preparing course materials; undertaking the marketing, finance and administration of the course; and taking responsibility for the well-being and tuition of initial teacher training students.

6.5. Safeguarding

Where pay decisions are taken which lead to a teacher receiving safeguarding, they will be given written notification as soon as possible and no later than one month after the decision.

A safeguarded sum will not be increased during the safeguarding period. The safeguarded sum will be payable for a maximum period of three years.

Teachers entitled to safeguarding in excess of £500 may be required to undertake additional responsibilities commensurate with the safeguarded sum for the period of safeguarding.

There is provision for teachers who occupy another post on a temporary basis to have their safeguarding restored on return to their original post (unless it would otherwise have ceased). For more information, please refer to the *School Teachers' Pay and Conditions Document*.

7. Support Staff

7.1. Pay and Conditions

Support staff pay and conditions will correspond with the scheme of conditions of services prescribed by the National Joint Council for Local Government Services (the 'Green Book') and the Single Status Policy.

7.2. Criteria for Determining Pay

All support staff posts will be advertised on the appropriate Local Government pay grade. The grade used for a specific appointment will generally be determined in accordance with the Greater London Provincial Council job evaluation scheme (2000). However, the Pay Committee may in exceptional circumstances exercise choice over the particular grade to be used in the light of the needs of the school.

Newly appointed support staff will normally be paid on the first point of the stated pay range. However, the appointment could be made on any of the points within the range where the Relevant Pay Committee wishes to recognise particular experience and/or qualifications appropriate to the post, or where there are any particular recruitment difficulties.

All new support staff appointments will be subject to the school's probationary requirements.

7.3. Pay Reviews

Employees who are appointed between 1 April and 30 September will receive their first increment on 1 April of the following year.

Employees appointed between 1 October and 31 March will receive their first increment six months after appointment.

Progression to the maximum of the scale will then be annually on 1 April each year until the maximum of the range has been reached.

The Relevant Pay Committee will reserve the discretion to withhold an increment where performance has been unsatisfactory. However this will only occur where formal action during the review year has been taken under the capability procedure or disciplinary procedure. The Relevant Pay Committee may review this position if, at the conclusion of any formal action, satisfactory performance has been achieved.

Where the employee is on a single point salary grade or has reached the maximum of the range, only a cost of living increase will apply.

Where an employee is absent from work for a significant period of time, for example due to maternity or long term sickness absence, the pay committee will still undertake performance and pay reviews for that member of staff.

7.4. Honoraria Payments

The Relevant Pay Committee will retain the discretion to award support staff honoraria or additional payments when required. Payments will be made in accordance with advice from The Learning Trust and any corresponding terms and conditions.

Note: There is no provision for honoraria payments for teachers.

8. Other Payments – All school staff

8.1. Out-of-school Learning Activities

The Relevant Pay Committee has discretion to make payments to teachers (including the Headteacher) and support staff who agree to provide learning activities outside of the normal school hours and whose salary range does not take account of such activity and where it is financially practicable for the school to do so.

One possibility would be to determine an hourly rate as per short notice/supply teachers then multiply by a factor, e.g. x1.5, x2 etc to compensate for out of hours work. Another possibility would be a flat rate payment in line with the employee's level of responsibility and the size of the commitment.

Possible activities that will attract payment include: breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities and clubs linked to curricular, arts and hobby interest areas.

With the advent of remodelling the school workforce and the need to ensure downward pressure on teachers' working hours, many schools are now using support staff and other adults to undertake these activities.

8.2. Pay in Inner London Area

All staff employed within Hackney schools are entitled to an additional element of pay for the Inner London area.

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.

9. Salary Sacrifice Arrangements

A salary sacrifice arrangement refers to any arrangement under which an employee gives up the right to receive part of their gross salary in return for the employer's agreement to provide them with a benefit-in-kind under any of the following schemes:

- a child care voucher or other child care benefit scheme,
- a cycle or cyclist's safety equipment scheme, or
- a mobile telephone scheme, and

that benefit in kind is exempt from income tax.

Where a salary sacrifice arrangement is in operation, the employee may participate in such an arrangement and their gross salary will be reduced accordingly for the duration of their participation in it.

Participation in any salary sacrifice arrangement will have no effect upon the determination of any safeguarded sum to which a teacher may be entitled.

10. Part time, Job Share and Supply Staff

The Pay Committee will apply the provision of this policy on a pro rata basis to part-time and job share employees ensuring that no employee receives less favourable treatment by virtue of the fact that they work part time.

11. Further Information

Further information and advice may be obtained from the Human Resources (Schools) at The Learning Trust.