



School Pay Policy

Signed: 

Date: 25th February 2016

Model School Pay Policy

**Schools' HR Service
September 2014**

This policy/procedure was developed primarily for Local Authority maintained schools. Where an establishment which is not so maintained intends to adopt the content or principles of this document, it is recommended that such establishment takes independent legal advice in order to gain clarity on any implications of the legislation and principles in this document.

This is a model document that schools may wish to adopt and or amend in respect to any areas of flexibilities highlighted, relative to their individual school context and the statutory provisions of the School Teachers Pay and Conditions Document.

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SECTION 1 POLICY

1.1 INTRODUCTION

This policy meets the schools statutory duty to set out how it will determine teachers' pay and the procedure for appeals. The policy sets out the value of any discretionary payments or allowances and any factors that may influence pay decisions.

The statutory requirements for teachers' pay and conditions in maintained schools are set out in the School Teachers' Pay & Conditions Document (STPCD). The requirements for support staff pay and conditions are covered by local and national agreements.

This pay policy will be revised in line with any changes to the staffing structure and a copy attached to the pay policy.

Pay is linked to the performance management (PM)/appraisal process, PM will be fair and transparent and sufficiently robust/effective to inform pay decisions.

Teachers and representatives of recognised unions have been consulted on formulating the policy and on any changes to it.

This document is a statement of the aims, principles and policy for determining the pay of all staff at Talbot Specialist and Bents Green Schools.

It was approved by the Talbot Specialist School Governing Body on Thursday, 25th February 2016.

This policy will be reviewed annually at a meeting of the Pay and Performance Committee in the autumn term of each new academic year.

1.2 AIMS

The Governors will manage pay policy and decisions in a fair, transparent and responsible way, recognising the principle of equal pay for like work and for work of equal value and having regard to relevant legislation.

Governors wish to utilise pay and rewards effectively to:

- Maximise the quality of teaching and learning at the school
- Determine the annual pay budget.
- Link pay decisions to the school's performance management/appraisal policy
- Attract, retain motivate and develop a skilled and flexible workforce.

1.3 PRINCIPLES

All teachers employed at Talbot Specialist and Bents Green Schools are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document (STPCD).

Support staff employed at Talbot Specialist and Bents Green Schools are paid in accordance with National and Local Conditions of Service for Support Staff.

All pay-related decisions take full account of each schools improvement plan.

The Pay and Performance Committee set up by each of the schools governing bodies will ensure that the policy is implemented to required time-scales. The membership and terms of reference of the committee are at Appendix 2.

The school supports the intention laid out in the STPCD that the majority of teachers will progress within the pay range. Teachers will only not progress where their overall performance fails to reach expected, clear and measurable criteria.

Each of the Schools Governing Bodies will publish its pay policy on the school intranet. This policy will be made available to staff on demand.

1.4 RESPONSIBILITIES

It is the responsibility of the Pay and Performance Committee to:

- Monitor implementation of the Pay Policy.
- Decide the pay of all staff seeking appropriate external advice where appropriate.
- Decide on the Performance Management Governors' pay recommendations for the Headteacher
- Decide on the Headteacher's pay recommendations for the Deputy Headteacher(s), Assistant Headteacher(s), and Leading practitioner(s) (where appointed), and Teachers.
- Address any anomalies or cases that cannot be decided by straightforward application of the Pay Policy and to be the first line of appeal relating to pay matters where appropriate (see Appendix 9 – Pay Appeals).
- Ensure that all teaching staff (including Headteacher, Deputy Headteacher, Assistant Headteacher(s), Leading practitioner(s) receive annual written statements of their pay
- Review the Pay Policy each Autumn Term.
- Ensure that information related to performance/appraisal and other pay recommendations remain confidential.
- Where relevant to make business case to support pay decisions to full governing body.

Staff governors will be members of the Pay and Performance Committee where their role will be to participate in discussions and decisions relating to the principles of pay policy. However, employee governors will not be able to attend meetings of the Pay and Performance Committee where they have a direct or indirect pecuniary interest. This will include meetings which make decisions about members of staff's pay.

Pay and Performance Committee where two or more schools have formed a permanent/temporary partnership under one single Executive Headteacher:

Where this is the case a Joint Pay and Performance Committee will be established - made up of 2-3 governors from each of the schools involved - to oversee the pay of the Executive Headteacher. The Joint Pay and Performance Committee should have delegated power to deal with the pay and performance management of the HT and other relevant staffing issues.

1.5 EXCEPTIONAL CIRCUMSTANCES/PERFORMANCE

Some of the pay flexibilities outlined in this document relate only to exceptional circumstances or exceptional performance, the following definitions help identify what these may be.

Exceptional circumstances: Unusual occurrences not usually likely to occur during a typical school year taking into account the schools individual context. Uncommon situations not likely to happen or exist very often, examples may include

- A significant change in duties, accountabilities and responsibilities above normal expectations not reflected in any other aspect of pay.
- Unique skills/experience/expertise of the candidate critical to the success of the school.
- A significant change to the wider school context related to pupil needs
- A high degree of complexity or challenge
- Differentials and relativities between other members of the leadership team that restrict the ability to provide appropriate reward.
- Significant recruitment and retention issues despite previous unsuccessful attempts to recruit
- Factors that may impede the ability to attract a field of appropriately qualified and experienced candidates, e.g. location, specialism, level of support from wider leadership team.

Exceptional performance: Outstanding innovative or transformational performance to an unusually high degree, deviating widely from normal expectations. Exceptional performance does not mean meeting objectives, this requires performance over and above normal expectations. A one off substantial contribution outside the normal expectations of the job e.g. managing and completing an unexpectedly complex project successfully before projected timescales, whilst sustaining high performance in all other aspects of the role and against the relevant standards.

These should generally be related to significant (measurable) individual contributions to improvements to teaching and learning, pupil outcomes (e.g. attainment/progress), improved use of data, improvements to provision in either a particular age/stage or whole school, curriculum enrichment, attendance, behaviour, system leadership, community cohesion.

Exceptional performance might reasonably include removing a school from a designated Ofsted category (i.e. Special Measures / Serious Weaknesses) and securing it as a 'Good' or 'Outstanding' school through inspection.

1.6 TIMING OF SALARY DETERMINATIONS AND NOTIFICATION

- A decision on whether to award a Headteacher's pay increment(s) must be made no later than 31 December each year.
- A decision on pay increments for the Deputy Headteacher, Assistant Headteacher, Leading Practitioners, and Teachers will be made no later than 31 October each year.
- A decision on applications to access the Upper Pay Range will be made within 20 working days of the closing date for applications (subject to Governing Body approval)
- Reviews can take place at other times of the year to reflect changes in circumstance or job description that change the basis for calculating an individual's pay.
- A written statement will be given after any review outlining the basis on which the decision was made.
- Where a pay determination leads to the start of a period of safeguarding, the governing body will give the required notification no later than one month after the date of the determination.

The annual pay statement for staff will state the following:

- The relevant point/amount in the salary range the employee will be paid (from 1 September)
- The full-time salary.
- The actual annual salary to be paid if the employee is part-time.
- Any increments and salary discretions that have been exercised to determine the salary

1.7 BASIC PAY DETERMINATION ON APPOINTMENT

Governors will determine the pay range(s) for any vacancy prior to advertising it. Leadership posts will be advertised with an indicative pay range based on the relevant pay band linked to group size. Where there are any circumstances in which a salary range may be increased for an exceptional candidate this will be clearly stated in the advertisement the starting salary will be decided on appointment. Each of the Schools Governing bodies will adopt the Local Authority position in relation to advertising teaching posts that does not restrict the pay range of teaching posts advertised to that other than the minimum of the main pay range and the maximum of the upper pay range.

In making pay determinations, each of the Schools Governing Bodies may take into account a range of factors, include (insert as applicable)

- The nature of the post
- The level of qualifications, skills and experience required
- The wider school context e.g. challenges and circumstances of the school

Each of the Schools Governing Bodies may decide to pay a higher starting salary within the range advertised where it is necessary to recruit a teacher of the necessary quality and is merited by evidence of the skills and experience of the successful candidate. Teachers will not be paid on the Upper Pay Range unless the school is required or entitled to do so, and will not be paid on the pay range for leading practitioners unless they will be employed as teachers whose primary purpose is the modelling and leading improvement of teaching skills and have met the criteria relevant to a specific post within the schools staffing structure.

1.8 PAY INCREASES

The schools are committed to uplift all existing pay points and allowances for all teachers in line with the outcomes of the school teachers review body pay review process.

SECTION 2 LEADERSHIP GROUP

Group size – The size of a school (for pay purposes) determined using the Number on Roll (NOR) as the basis of a calculation as set out in the STPCD. Each group size has a wide salary band assigned to it which schools should use to determine the individual school range for their circumstances.

Salary band – A wide band consisting of many salary points on the leadership pay spine. This number of salary points is determined by the group size and schools usually later narrow this down to an individual school range.

Individual school range (ISR) – The narrower 7 point salary range on the leadership pay spine for the Headteacher.

2.1 SCHOOL GROUP SIZE

The Group size of **Talbot Specialist** School is 6. This has been determined by reference to the criteria laid down in the current STPCD. This decision was ratified by the Full Governing Body meeting on 25th February 2016

The Group size of **Bents Green** School is 7. This has been determined by reference to the criteria laid down in the current STPCD. This decision was ratified by the Full Governing Body on **(date to be inserted)**.

Following Federation of both schools, the combined School Group Size will be 8.

Each of the Schools Governing Bodies will review their respective Group Size:

- a) Where representations have been made by the Headteacher
- b) Whenever it is proposed to appoint a new Headteacher; and
- c) In any event, not more than 3 years after the school was last assigned to a Headteacher group.

2.2 DETERMINATION OF THE SCHOOL'S INDIVIDUAL SCHOOLS RANGE (ISR)

The ISR of the combined Talbot Specialist and Bents Green Schools Group Size 8 is L33 to L40. The ISR will be a 7-point pay scale for the Executive Headteacher unless exceptional circumstances apply.

The schools will adopt the Local Authority salary scales.

- The ISR is not an incremental scale carrying expectation of automatic pay progression.
- The ISR will be determined by the broad pay range based on group size plus other factors that may influence pay related to the particular challenges, context and circumstances of the school.
- The ISR will take into account any permanent factors that need to be considered e.g., additional accountabilities, long term provision of services to other schools, significant recruitment and retention difficulties
- The bottom point of the ISR will be at least one spine point above the maximum of the pay scale of any Deputy or Assistant Head at the school unless exceptional circumstances apply in which case they will be clearly stipulated
- Governors will determine the broad salary band when they propose to make a new appointment
- In recruitment situations the narrower ISR will be determined once a preferred candidate is identified taking into account candidate specific factors and the opportunity for pay progression.
- Where there is any flexibility to increase the salary range for an exceptional candidate by negotiation this will be reflected in the advertisement.
- Governors will not take account of the salary of the serving HT if they re-determine the ISR when recruiting a new HT.
- Governors will ensure sufficient flexibility is retained to reward future potential performance.
- Governors will determine the new ISR if there has been a significant change in the responsibilities of the HT.
- Governors must revise the ISR which has been assigned based on expected pupil numbers, if the expected numbers change.
- Governors may choose to review the pay of all the leadership team if this is necessary to maintain consistency with new appointments made on or after 1 September 2014 in line with revised arrangements for determining leadership pay.

2.3 HEADTEACHER'S PAY

Governors will ensure that the maximum of the ISR does not exceed the maximum of the School Group range however there is discretion to set pay up to 25% above the top of the relevant pay band where this is justified by school/candidate specific factors. **In most cases the range determined by the group size will be sufficient.**

Where this discretion is used careful consideration should be given to the reason for and the size of the percentage increase. Governors are recommended to seek advice from their HR provider/LA to ensure this is objectively justified and benchmarked against similar schools.

The Local Authority provides 3 model percentage rates

Level 1	5%	single factor justification for exceeding salary range related to group size
Level 2	15%	multiple factors justification for exceeding salary range related to group size + high degree of complexity beyond that of similar schools
Level 3	25%	multiple factors justification for exceeding salary range related to group size for reasons critical to future success of the school + high degree of complexity and/or additional accountabilities beyond that of similar schools

Each of the schools Governing Bodies will take a wide view on which overall contextual factors, circumstances and complexities will justify raising the ISR beyond that of the school group range. The following areas are examples of what may be considered to inform such decisions, please note these are for illustrative purposes only and the presence of any factor offers no automatic entitlement to an increase. Governors will also consider the affordability and sustainability of such an increase.

School context – e.g. single phase, size of school, significant recruitment and retention problems, level of challenge/required performance of the school

Candidate specific – e.g. differentials between members of the leadership team, opportunity for pay progression, incentive to relocate, avoiding detriment in relation to existing pay, additional skills/experience required

Level of disadvantage – e.g. challenge this presents to individual school, number of free school meals

If the HT is already on an ISR that exceeds the maximum of the School Group range that ISR will continue to apply unless/until governors decide to recalculate the ISR, after which the new ISR will, need to be within the range available for the schools group size unless discretion is exercised

Each of the Schools Governing Bodies has determined that a 7 point ISR on the Leadership Group Pay Spine for the Executive Headteacher shall be **point L33 to point L40.**

Each of the Schools Governing Bodies has determined that a 5 point ISR on the Leadership Group Pay Spine for the Headteachers shall be **point L18 to point L22.**

The Executive Headteacher and Headteachers salaries will be reviewed by **31 December** each year with reference to performance objectives agreed between the Executive Headteacher, Headteachers and the Performance Management Governors.

- Taking into account the achievement against previously agreed or set objectives and the criteria for leadership group progression, Governors may award up to two performance points in an academic year, effective 1 September. Progression in excess of 2 performance points will only be agreed in exceptional circumstances.
- Proposed performance pay increases for the EHT and HT's must be contained within the school's ISR. Governors have discretion to raise the schools ISR generally within the limits of the range available for the group size and where justified up to 25% above the range for the pay band.

The Governors will, each autumn term, and no later than 31 December, notify the Executive Headteacher and Headteacher s of the outcome of the annual salary reviews.

2.3.1 New headteacher

A new HT may be placed at any of the four bottom points of the ISR Governors may choose to appoint at a higher point where the following circumstances apply; particular school challenges; complexities and context; candidate specific factors e.g. a candidate already paid near the top of the ISR; additional skill/expertise/experience

2.3.2 HEADTEACHERS ACCOUNTABLE FOR MORE THAN ONE SCHOOL

Permanent arrangement

Where the school enters into a permanent arrangement where the Headteacher is appointed as Headteacher (or Executive Headteacher) of more than one school a new school group size will be determined by adding together the total pupil unit score of all of the schools.

The ISR will be a seven point range within that School Group unless exceptional circumstances apply the governors will determine the appropriate starting point. A new Headteacher (or Executive Headteacher) will be placed at any of the four bottom points of the ISR. Governors may choose to appoint at a higher point where the following circumstances apply
e.g. additional skill/expertise/experience of candidate, particular school challenges, complexities and contextual circumstances.

Governors have discretion to raise the schools ISR generally within the limits of the range available for the group size and where justified up to 25% above the range for the pay band. Increases above 25% would require governors to seek external advice and make a clear business case for adopting such an approach.

Temporary Arrangement

Where the school enters into a temporary arrangement where a Headteacher (or Executive Headteacher) is temporarily responsible for one or more additional schools, as well as their continuing role as Headteacher of their own school, the additional responsibility will be rewarded via a Discretionary Payment, not via an increase in the ISR or pay point.

Temporary arrangements will be limited to a maximum of two years while a permanent solution is being sought. Governors of both/more schools will clarify how (a) these arrangements will work in practice and (b) how the arrangements will be brought to an end.

A fixed term variation of contract for the temporary arrangement will specify that the HT is for a fixed period employed additionally as HT of the additional school(s).

Where there is a deputy head in the school, governors may temporarily increase their pay range to take account of the increased responsibilities in the absence of the HT. Additionally a teacher may be temporarily appointed, in the absence of the substantive post holder, to a post in the staffing structure which attracts a TLR payment.

Where the arrangement for the head teacher is temporary, any adjustment to their pay and that of other teachers is also temporary, and safeguarding provisions will not apply when the arrangements cease.

2.3.3 Use of Headroom

For arrangements that involve larger/multiple schools governors have discretion to set a pay range in the headroom above the pay band identified for the proposed group/school size, use of this will be assessed on an individual basis taking into account advice from the local authority/HR provider and available benchmarking information. Governors should consider the content of the role, how it is defined and ensures the reasons that support use of headroom will be permanent as this becomes the new ISR for the school.

Schools must assess any proposal under the normal STPCD arrangements for determining the salary of a headteacher prior to using headroom and ensure that any reasons for justifying the use of headroom cannot be addressed within the existing flexibility to increase the salary range.

Headroom will only be used for new/emerging roles that due to their additional complexities or accountabilities may not be adequately rewarded through existing provisions.

Each of the Governing Bodies will take a wide view on which overall contextual factors, circumstances and complexities will justify the use of headroom. The following areas are examples of what may be considered to inform such decisions, please note these are for illustrative purposes only and the presence of any factor offers no automatic entitlement to an increase. Governors will also consider the affordability and sustainability of such an increase.

- A change in the focus of the role incorporating additional factors and wider responsibilities than those covered by the role of Headteacher (as defined in the STPCD)
- Wider systems leadership e.g. leading a converter academy
- Executive headship of multiple schools
- A considerable percentage change in pupil numbers that does not reflected by an adequate change in group size

In cases where headroom is used, governors will also review the pay range of the Deputy/Assistant Headteacher and the rest of the leadership team. A decision will be made in regard to the appropriateness of their salary range taking into account any impact the Headteacher's new role may have on their role, its complexity, responsibilities and the proportion of time spent on the new aspects. Any temporary responsibilities would be addressed via the methods outlined in 2.4.1.

2.3.4 DISCRETIONARY PAYMENTS TO HEADTEACHERS

In addition to the pay set via the ISR Governors have the flexibility to award Headteachers a discretionary payment in the following circumstances.

Governors will consider

- The appropriateness of the payment in the context of the school and taking account of the bigger picture across Sheffield schools.
- the affordability aspect, both at the time of the request and over the next 2-3 years
- any other pertinent issues including risks, such as equal pay challenges

Range of discretionary payments to Headteachers

The total sum of discretionary payments to the Headteacher in any school year **will not exceed 25% of the HT's current pay point** (except in the wholly exceptional circumstances outlined in 17(d) below). **It should be noted that the 25% is the upper limit, it is not the expectation that discretionary payments will automatically be set at 25%.**

The discretionary allowances are:

- (i) **School Causing Concern** Any payment to a HT who is asked to take on a school causing concern or provide additional support to a school in this category on a temporary basis will be negotiated between the governing bodies concerned.
- (ii) **A recruitment payment** where without such a payment the governing body would have substantial difficulty filling the vacant post. . A HT cannot be awarded both a discretionary allowance recruitment payment and a recruitment incentive payment. This discretionary payment should only be used for temporary payments, where this requirement is permanent it can be incorporated into base pay.

- (iii) **A retention payment** to an existing HT where without such an additional payment the governing body would have substantial difficulty retaining the existing headteacher. A HT cannot be awarded both a discretionary allowance retention payment and a retention incentive payment. This discretionary payment should only be used for temporary payments, where this requirement is permanent it can be incorporated into base pay.
(The school may also want to consider adding the following) Where retention payments are agreed, the HT must demonstrate good or outstanding leadership and management skills, which is evidenced in the most recent Ofsted report and pupil outcomes at the school.
 - (iv) **HT appointed as a temporary HT of one or more additional school(s).**
 - (v) **Continuing professional development undertaken outside of the school day**
 - (vi) **Activities relating to Initial Teacher Training as part of the ordinary conduct of the school.** This discretionary payment should only be used for temporary payments, where this requirement is permanent it can be incorporated into base pay.
 - (vii) **Participation in out-of-school hours learning activity** agreed between HT/governing body.
 - (viii) **Provision of Services to other schools.** Additional responsibilities and activities in respect of the provision of services by the HT relating to the raising of educational standards to one or more additional schools *(note this does not apply to provision of services to a school where the HT has been appointed on a temporary or permanent basis)*. Examples of such work might be a Consultant Headteacher, National Leader of Education or Local Leader of Education. This discretionary payment should only be used for temporary payments, where this requirement is permanent it can be incorporated into base pay.
- Any services provided by the HT to another school will require formal Governor authorisation. If this work extends over more than a 12 month period, the agreement of governors will be formally reviewed annually or sooner if appropriate.
 - Any income derived from external sources for the work of a school's staff (including the Headteacher) will accrue to the school. Payment will only be considered for work which is undertaken outside of the school day.
 - Where governors determine to make such a payment to their HT, this will be agreed in advance, with the reasons for such payment clearly stated and formally incorporated into a protocol by the governing body (or the finance committee) and decisions minuted. The terms of such an agreement will be set out in a memorandum signed by the chair of governors and the HT.
 - HTs may not be the only members of staff to provide services to other schools that generate income. If governors decide to make payment to their HT for such work they will consider equality issues and, to avoid challenge, ensure that such payments are made evenly, transparently and fairly across the school teaching body.

- Governors will ensure that any expenses incurred by the HT as a result of taking on additional work are reimbursed, unless they are accounted for elsewhere.

(d) Discretionary HT Payments in excess of 25% of Headteacher's current pay point

Governors will only make discretionary payments to their HT which exceed 25% of the HT's current pay point in wholly exceptional circumstances.

If it is considered that there are exceptional circumstances that warrant a payment in excess of the limit governors will first make a business case for the payment to the full governing body.

Governors must then seek external independent advice from an appropriate person or body who can consider the provisions of the STPCD and whether they have been properly applied to the HT's pay, before making a decision on whether it is justifiable to exceed the limit in each particular case.

There must be a clear audit trail for any advice given to the governing body and a full and accurate record of all decisions made by the governing body and the reasoning behind them.

A suitable person or body to provide such external independent advice might be:

- the Local Authority's Inclusion and Learning and/or Human resources Service
- the External Adviser who is retained by the school for Headteacher performance management

2.4 DEPUTY AND ASSISTANT HEADTEACHER'S PAY

The Governing body will determine the broad indicative pay range for deputy and assistant headteachers when it proposes to make a new appointment; or revise the actual pay range where there is a significant change in their responsibilities.

The pay range may be determined as of 1 September or at any time of the year to reflect any changes in the circumstances or job description.

The pay spine of any Deputy will start at a higher point than the lowest point on any Assistant Headteacher's range in the school, and in the absence of an Assistant Headteacher, at a point above the salary of the highest paid teacher unless exceptional circumstances apply

The highest point on a Deputy headteacher's scale will be at least one point lower than the bottom point of the headteacher's ISR (7-point scale) unless exceptional circumstances apply.

Each of the Schools Governing Bodies have determined that a 5 point range on the Leadership Group Pay Spine for the Deputy Headteacher shall be **point L12 to point L16 (Talbot Specialist School) and point L13 to L17 (Bents Green School)** and for the Assistant Headteacher(s) shall be **point L7 to point L11 (Talbot Specialist School) and point L8 to L12 (Bents Green School)**. If there is more than one Deputy or Assistant Head the pay spines may be different, to take account of the responsibilities of each post.

The pay range will be determined with reference to the range of the Headteacher plus other factors that governors deem relevant e.g. the particular challenges and circumstances of the school, number of free school meals, school phase/context, challenge/performance of the school, experience/performance of the deputy/assistant headteacher.

The pay range will take into account any permanent factors that need to be considered e.g. additional accountabilities, long term provision of services to other schools, significant recruitment and retention difficulties.

The Headteacher will, each autumn term, and no later than 31 October, notify the Deputy and Assistant Headteacher(s) of the outcome of the annual salary review.

Where performance objectives are deemed by the Headteacher, or reviewer, to have been satisfactorily met, he/she may recommend to the Pay and Performance Committee that the Deputy or Assistant Headteacher's pay will increase by 1 or 2 points on the pay range. Progression in excess of 2 performance points will only be agreed in exceptional circumstances.

New Deputy or Assistant Headteacher

A new deputy or assistant headteacher will be paid on one of the bottom three points of their 5-point pay scale. Governors may choose to appoint at a higher point where the following circumstances apply e.g. specific area of skill/expertise/experience, particular challenges and circumstances of the school, opportunity for pay progression e.g. candidates existing salary near top of range.

2.4.1 Additional responsibilities due to changes to the role of the Headteacher

When the head at the school becomes responsible for more than one school (permanent or temporary arrangement) consideration needs to be given to the pay of deputy and assistant heads. **An increase in pay should only be agreed where the post accrues additional extra responsibilities as a result of the HT's enlarged role**, it should not be assumed that an increase to the deputy and assistant heads pay is a requirement in all cases.

The Governors may

- Temporarily increase the pay range of the deputy/assistant head
- Temporarily appointed a teacher to a post in the staffing structure which attracts a TLR payment
- Consider the use of additional payments where the other options are not appropriate.

Where the arrangement for the headteacher is temporary, any adjustment to their pay and that of other teachers is also temporary and safeguarding provisions will not apply when the arrangements cease.

2.4.2 Acting Deputy/Assistant Headteachers

Each of the Schools Governing Bodies will consider whether teachers who have not been appointed as acting Headteacher, Deputy Headteacher or Assistant Headteacher but who have been assigned to and have been carrying out the duties of Head, Deputy or Assistant Headteachers should receive an acting allowance as a separate addition to their normal pay. The consideration will be made within four weeks of the commencement of the teacher carrying out such temporary duties.

The allowance will be paid from or backdated to the time when the teacher performed tasks that required the full authority of the post to be exercised.

Any pay agreed by each of the Schools Governing Bodies will be equivalent to at least the minimum leadership spine point payable in the school for the post in which the teacher is acting.

Teachers in receipt of an acting allowance will be subject to all the conditions of employment appropriate to the post in which they are acting up.

2.5 LEADERSHIP GROUP STEPPING DOWN FROM POST INTO UPR

- Where a teacher is a post-threshold teacher by virtue of paragraphs (b), (c), and (e) – (i) of the definition of post-threshold teachers in Part I of the STPCD, governors may determine which point on the upper pay range to place them.

When doing so, each of the Schools Governing Bodies will consider any pay progression which such teachers made in their previous employment and will not unreasonably withhold appointment at an equivalent point in the upper pay range.

SECTION 3 TEACHING STAFF

3.1 PAY OF UPPER PAY RANGE AND MAIN PAY RANGE TEACHERS

Talbot Specialist and Bents Green Schools will adopt the Local Authority recommendation of retaining the 6 point Main Pay Range and the 3 point Upper Pay Range.

(a) Upper Pay Range teachers

UPR teachers will have a three point scale containing UPR1, UPR2 and UPR3. Only teachers who have met the relevant criteria can progress into the Upper Pay Range.

Progression on the UPR is performance based, rather than incremental. The Performance Pay Progression Policy for Teachers on the Upper Pay Range and Performance Management/Appraisal Policy should be used as the basis of decisions relating to UPR progression.

(b) Main Pay Range teachers

Progression in the Main Pay Range is performance based, rather than incremental, the Performance Management/Appraisal Policy should be used as the basis of decisions relating to Main Pay Range progression.

The available pay ranges are

- Main pay range for qualified teachers
- Upper pay range
- Leading practitioner range
- Unqualified teacher range

Requirement to match previous salary

Schools can maintain teachers' pay in accordance with the principles of pay portability. In cases where a different pay structure is in place than that adopted by the school/Local Authority the teacher should be placed on the nearest pay point to that already held.

Each school may match the salary of new appointees to that paid in their previous school.

Each of the Schools Governing body's will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate. In making such determinations, the Governing Body may take into account a range of factors including:

- The nature of the post
- The level of skills, qualifications or experience required
- Market conditions
- The wider school context

SECTION 4.0 PAY PROGRESSION

Decisions regarding pay progression will be made with reference to the teacher's appraisal reports and the pay recommendations they contain. The rate of progression will be differentiated according to an individual teacher's performance. In Talbot Specialist and Bents Green schools, teachers will be eligible for pay progression if they meet all their objectives and are assessed as fully meeting the relevant standards.

To be fair and transparent, assessments will be properly rooted in evidence. In Talbot Specialist and Bents Green schools, we will ensure fairness by a consistent, published assessment framework, that individuals are trained to use, with regular moderation taking place.

The evidence we will use to inform appraisals and measure performance will include appraisal evidence, pupil tracking, work scrutiny and lesson observations.

Teachers will be awarded pay progression following a successful performance review/appraisal that measures progress against objectives and overall performance against the teacher standards. In the case of UPR teachers a successful performance review requires the teacher to be highly competent in all elements of the relevant standards, and their achievements and contribution to the school to be substantial and sustained. There is an expectation that where there are any concerns about performance these will be raised during the annual performance cycle, otherwise the performance review/appraisal will be considered successful.

The policy at Talbot Specialist and Bents Green schools is that a pay progression recommendation will not be made for any teacher subject to formal capability procedures. Where a teacher has successfully engaged with and is no longer in formal capability procedures the governors will review their overall performance in line with the general performance pay progression criteria in determining whether a pay progression recommendation will be made.

Final decisions about whether or not to accept a pay recommendation will be made by each of the Schools Full Governing Bodies / Pay and Performance Committee, taking into account advice from the (Pay and Performance Committee / headteacher). Each of the Schools Governing Bodies will consider its approach in the light of their respective school's budget and ensures that appropriate funding is allocated for pay progression at all levels.

4.1 REVIEWING THE HEADTEACHER'S PERFORMANCE

The Executive Headteacher and headteachers must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school, and all aspects of the relevant standards. Performance reviews will be supported by an External Adviser. Progression will be subject to a review of performance against performance objectives before any points are awarded.

Annual pay progression within the range for these posts is not automatic. Each of the Schools Governing Bodies will consider whether to make an award, and if so, whether this will be one or two pay progression points, or more in exceptional circumstances. The Executive Headteacher and Headteachers will be eligible for progression if they meet all of their objectives and are assessed as fully meeting the relevant standards unless any of the circumstances specified in 4.1.2 apply.

The following levels provide an indication of what level of progression will be awarded:

- 0 points – Objectives not met and/or Executive Headteacher / Headteacher subject to formal disciplinary/capability procedure
- 1 point – Objectives met, good level of performance in relation to relevant standards
- 2 points – Challenging objectives exceeded, outstanding level of performance in relation to relevant standards
- 3 points – Challenging objectives exceeded performance above and beyond normal expectations in dealing with unusual/unprecedented events. Substantial contribution to the school in delivering transformational/innovative projects to a high level.

When awarding the Executive Headteacher and Headteachers performance pay, governing bodies will ensure any increase is contained within the ISR at their school. Governors can raise the ISR to accommodate pay higher than the current ISR where there is flexibility within the range available for the group size or where justified up to 25% above the range for the pay band. Increases above 25% would require governors to seek external advice and make a clear business case for adopting such an approach.

The Headteacher's performance will be reviewed at the end of the Performance Management Cycle (usually on or after 1 September every year) in light of the previously agreed or set performance objectives. Governors must make decisions on performance related pay by 31 December. Any decisions on pay will be effective from 1 September.

4.1.2 As part of their decision making, the Pay and Performance Committee will also consider if the Executive Headteacher and Headteachers have been:

- i) Subject to any disciplinary action
- ii) Subject to any action under the capability procedure
- iii) Identified within an OFSTED report or Local Authority Review as not providing an appropriate quality of leadership.

If any of the above circumstances apply, the Pay and Performance Committee will not award performance points.

Each of the Schools Governing Bodies shall advise their respective Headteacher in writing annually of their salary determination and the basis for this determination including details of performance increase.

The Schools Joint Pay and Performance Committee shall advise the Executive Headteacher in writing annually, of their salary determination and the basis for this determination, including details of performance increase.

Appeals will be dealt with by a designated group of Governor representatives.

4.2 REVIEWING THE DEPUTY HEADTEACHER AND ASSISTANT HEADTEACHERS PERFORMANCE

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 are awarded. This review as outlined in the appraisal regulations and performance management policy will involve

- Performance objectives
- Classroom observation (where relevant)
- Other evidence

The review will assess whether the teacher has grown professionally by developing their leadership and (where relevant) teaching expertise.

Each of the Schools Governing Bodies has discretion to award a deputy or assistant head 0, 1, 2 or more points in an academic year from 1 September only.

Annual pay progression within the range for these posts is **not** automatic. Each of the Schools Governing Bodies / Pay and Performance Committees, will consider whether to make a pay award, and if so whether to award one or two or more pay progression points. Progression in excess of 2 performance points will only be agreed in exceptional circumstances.

Deputy/Assistant Headteachers will be eligible for progression if they meet all of their objectives and are assessed as fully meeting the relevant standards unless any of the circumstances specified in 4.2.1 apply.

The following levels provide an indication of what level of progression will be awarded:

- | | |
|------------------|--|
| 0 points | – Objectives not met and/or Deputy / Assistant Headteacher subject to formal disciplinary/capability procedure |
| 1point standards | – Objectives met, good level of performance in relation to relevant standards |
| 2 points | – Challenging objectives exceeded, outstanding level of performance in relation to relevant standards |
| 3 points | – Challenging objectives exceeded, performance above and beyond normal expectations in dealing with unusual/unprecedented events. Substantial contribution to the school in delivering transformational/innovative projects to a high level. |

Performance pay increases for a Deputy or Assistant Headteacher will be contained within their 5-point scale. Governors can raise the 5- point scale as outlined in the STPCD.

Governors will ensure that the performance of the Deputy and Assistant Headteacher(s) is reviewed at the end of the Performance Management Cycle (usually on or after 1 September every year) in light of previously set or agreed performance objectives.

4.2.1 As part of their decision making, the Pay and Performance Committee will also consider whether or not the Deputy Headteacher (or Assistant Headteacher) in paragraph 10) has been:

- i) Subject to any disciplinary action
- ii) Subject to any action under the capability procedure
- iii) Identified within an Ofsted report or Local Authority Review as not providing an appropriate quality of leadership.

If any of the above circumstances apply, the Pay and Performance Committee will not award performance points.

The Deputy and Assistant Headteacher(s) line manager will be responsible for reviewing performance. Pay recommendations will be made by the headteacher, via a formal presentation to the Pay and Performance Committee.

The respective Headteacher at each school, will, each autumn term, and no later than 31 October, notify their Deputy and Assistant Headteacher(s) of the outcome of the annual salary review and will agree any performance criteria against which a review of salary will be considered for the following year.

4.3 LEADING PRACTITIONERS

Leading practitioners are a specific post identified in the school staffing structure, application to become a leading practitioner will only be considered where such a vacancy exists within the structure. Leading practitioners must demonstrate sustained high quality of performance in the light of their agreed performance objectives which should be linked to modelling and leading the improvement of teaching skills, and will be subject to an appraisal before any pay recommendation is made. Where applicable work undertaken at other schools as part of their role, higher education facilities, and the local authority and elsewhere will be taken into account.

Leading practitioners are expected to take a lead role in developing, implementing and evaluating policies and practice that contribute to school improvement.

Leading practitioners will be placed at an appropriate place in the leading practitioners pay range, on appointment. In most cases for new appointments leading practitioners will start at the bottom of their range however for this is subject to the schools approach to basic pay determination on appointment as outlined in 1.5 and teachers' pay discretions as outlined in Section 3 of the pay policy. Progression through the range will depend of their level of performance, taking into account the challenge and demands of the individual post. All leading practitioners should aspire to reach the top of their range.

The Governors have chosen to refer to the Local Authority determined points within the leading practitioner pay range. Governors will select a 5 point range within the range available.

If either of the schools creates more than one leading practitioner post, the salary for each post will be determined separately.

4.4 ASSESSMENT AND MOVEMENT ONTO THE UPPER PAY RANGE

4.4.1 Eligibility to apply

Any qualified teacher on the main pay range is eligible to apply to access to the upper pay range. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

4.4.2 Application process

The schools will consider applications once a year. Applications should be made in writing to the respective Headteacher by 31st October using the application form (Appendix 5).

The application must be passed to the respective Headteacher and must be assessed by the Pay and Performance Committee.

Successful applicants will have their pay backdated to the start of the academic year in which they have been assessed as meeting the criteria.

4.4.3 Application to other schools

If a teacher is simultaneously employed at another school(s) they may submit separate application if they wish to apply to be paid on the upper pay range in that school or other schools.

The schools assessment of eligibility to access the upper pay range relates solely to the teachers employment within that school. The school will not be bound by any pay decision made by another school.

4.4.4 Application evidence requirements

All applications should include the results of reviews or appraisals under the 2011 or 2012 regulations including any recommendation on pay or where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria.

Applications should also include (insert any other evidence that the school requires to demonstrate in order to assess the teacher against the criteria). Applications should contain evidence from (insert the period of time that evidence should cover, e.g. the last 18/24 months ensuring that teachers who have had breaks in service are treated equitably)

4.4.5 Upper Pay Range

Upper pay scale teachers will generally start on the lowest point of the UPR upon access to the Upper Pay Range, however the Governors may consider other factors when determining their salary such as

- The nature of the post
- The level of skills, qualification or experience required
- Market conditions
- The wider school context

The school should have sufficiently robust processes (including performance management/appraisal objectives and outcomes) in place which will inform the decision on whether all the criteria to progress have been met. The criterion includes:

- Successful performance management/appraisal reviews (*other than under the exceptional circumstances as provided for in paragraph 1.8 of the STPCD*).
And
- the published criteria which applies to the teacher's current point on the UPR

4.4.6 Assessment for accessing the Upper Pay Range (against the relevant criteria):

- (a) Must indicate their wish to be assessed – consideration is voluntary, not mandatory
- (b) will be assessed during the academic year

A successful assessment will be implemented and paid with effect from 1 September. Applications will be successful where Governors are satisfied:

- The teacher is highly competent in all elements of the relevant standards
- The teachers achievements and contribution to the school are substantial and sustained

4.4.7 Highly competent, substantial and sustained

For the purposes of this policy:

- Highly competent means performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice. Competence requires a clear demonstration to the appropriate knowledge skills and understanding for the role.

- Substantial means of real importance, validity or value to the school, use of subject knowledge to shape the curriculum, play a critical role in the life of the school, provide a role model for teaching and learning, uphold the ethos of the school, make a distinctive contribution to the raising of pupil standards, take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning.
- Sustained means maintained continuously over a long period e.g. 2 number of school years

A teacher who is employed to teach at more than one school can only apply at either or both schools. Where the teacher is school based, the assessment application must be assessed by the Pay and Performance Committee.

Prior to carrying out the assessment against the relevant teacher standards, the Pay and Performance Committee must be satisfied that the applicant meets the standards.

Where the Pay and Performance Committee is not satisfied that the applicant meets the relevant teacher standards, the application must be rejected and the applicant informed, with reasons.

Where the Pay and Performance Committee is satisfied that the applicant meets the standards, the assessment must be carried out against the relevant teacher standards.

When carrying out the assessment against the relevant teacher standards the Pay and Performance Committee must have regard to the results of the performance management/appraisal reviews covering the relevant period

Having carried out the assessment, the Pay and Performance Committee must determine whether the applicant has met the relevant teacher standards throughout the relevant period and inform the applicant of the decision, giving reasons if the decision is that the applicant has not met the standards.

4.4.8 Notification

The assessment will be made within 20 working days of the closing date for applications at which point the employee will receive a written response informing them of the outcome of the Pay and Performance Committee's recommendation (at this stage this would be still subject to the respective School Governing Body's agreement).

If successful, applicants will move to the upper pay range and have their pay backdated from the start of the academic year in which they have been assessed as meeting the criteria.

If unsuccessful, feedback will be provided by the Pay and Performance Committee Chair in writing within 20 working days of the decision, clearly setting out the reasons for the decision.

An appeal against a decision not to move the teacher to the Upper pay Range will be heard under the schools pay appeal arrangements.

4.4.9 Upper pay range pay progression

“Application of Upper Pay Range Progression Criteria - Clarification” will be taken fully into account when considering progression (*shown below*).

Governors should ensure that all teachers are considered for such an award, noting where a teacher did not meet the criteria if governors did not consider them eligible. This will provide evidence if a teacher wishes to challenge governors’ decisions.

The Governors will apply the separate “Policy for Performance Pay Progression for Teachers on the Upper Pay Range”. Recommendations about pay progression for teachers on the upper pay range will be made by the Pay and Performance Committee, Governors will be responsible for the pay decision and either reject or approve progression.

4.5 CLASSROOM TEACHERS (MAIN PAY RANGE)

Main pay range classroom teachers will receive an increase within the range for satisfactory performance over the year.

A classroom teacher may be awarded a greater increase within the main scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching. At Talbot Specialist and Bents Green Schools, this means where a teacher is consistently outstanding, for a sustained period of 2 academic years, with all elements of work being scrutinised.

Governors should set out what criteria would need to be met for award of an increase at their school, being mindful of the reasons for award of an extra point, to ensure the main focus is on classroom teaching.

They must ensure that consideration of increases within the salary range are applied fairly and evenly.

The policy at Talbot Specialist and Bents Green Schools is that a pay progression recommendation will not be made for any teacher whose performance is unsatisfactory because they are or have been managed within the formal stages of the capability procedures. Where a teacher has successfully engaged with and is no longer in formal capability procedures the governors will review their overall performance in line with the general performance pay progression criteria in determining whether a pay progression recommendation will be made. Where a decision has been made not to recommend pay progression the teacher must be notified in writing of this decision and the reasons.

Newly qualified teachers that complete their induction period satisfactorily will receive performance progression.

SECTION 5 SAFEGUARDING

5.1 GENERAL SAFEGUARDING - TEACHERS

Safeguarding will be managed in accordance with the criteria laid down in the STPCD.

The Governing Body will notify a teacher in writing within one month of any determination, which results in safeguarding, of:

- That determination
- The reason for the determination
- The teacher's original salary
- The safeguarded sum
- The date on which safeguarding will cease if his/her employment at the school ends or his/her salary increases owing to movement up the scale/spine and the increase equals or exceeds the safeguarded sum

If a teacher is awarded a temporary TLR or serves as a member of the leadership group, or a leading practitioner, in the temporary absence of the substantive post holder, TLR safeguarding will be reduced (or discontinued) during this period, it will be restored at the end of the temporary period unless it would have ceased in the interim under the normal cessation principles.

The salary used to determine the comparator for safeguarding purposes is that which a teacher is paid on the day before the 'loss' begins.

The safeguarding period ends on the third anniversary of the relevant date (or sooner if the cessation principles apply). The 'relevant date' is as follows:

1 January in the case of a determination made between the preceding 1 September and 31 December

1 April in the case of a determination made between 1 January and 31 March

1 September in the case of a determination made between 1 April and 31 August.

Teachers in receipt of a safeguarded sum of more than a total of £500 are required to undertake additional duties commensurate with the safeguarded sum. The Headteacher and teacher will agree what these additional duties should be. Where a teacher unreasonably refuses to undertake these additional duties the teacher will be given a written notice that their safeguarded sum will cease to be paid one month after their receipt of the written notice. The teacher will then receive the level of pay for the substantive post to which they have been appointed.

Any safeguarded sums to which part-time teachers are entitled will be calculated in line with paragraph 46 of the STPCD on the pro-rata principle.

SECTION 6 TEACHING AND LEARNING RESPONSIBILITY (TLR) PAYMENTS

TLR payments are only payable to classroom teachers for sustained additional responsibilities focused on teaching and learning that are not required of all classroom teachers e.g. leading on a subject area across the school. This responsibility will be clearly defined in the job description of the TLR payment holder and will clarify the post holder's level of accountability. TLR's are not payable to Unqualified Teachers, Leading practitioners Assistant/Deputy or Head teachers.

Each of the School's Governing Bodies may award TLR payments either at TLR Level 1 or TLR Level 2, or a fixed term payment at TLR Level 3.

The award can be while a teacher remains in the same post or occupies another post in the absence of a post holder.

The criteria for TLR payments are as follows:

- i) Focussed on Teaching and Learning.
- ii) Requires the exercise of a teacher's professional skill and judgement.
- iii) Has an impact on the educational progress of pupils beyond the teacher's assigned classes or groups of pupils.
- iv) Leading, developing and enhancing the teaching practice of others.
- v) Requires the teacher to lead, manage and develop a subject or curriculum area or pupil development across the curriculum.

In addition, before awarding a TLR 1, Governors must be satisfied that the TLR Payment post holder has in addition, line management responsibility for a significant number of people.(This does not apply to TLR3's)

Having decided to award a TLR the Governors will decide whether to award a TLR 1, TLR 2 or TLR 3 and the value of the payment.

Each of the School's Governing Bodies will determine at the start of the year the level, type and duration of projects supporting school priorities that will attract TLR3 payments.

It may be the case that during the course of the school year additional projects/priorities arise that may lead to the award of additional TLR3s (e.g. in response to Ofsted inspection) in such cases the number and level of these will be determined by the headteacher.

Where a TLR3 is awarded for a fixed term school improvement project, or one off externally driven responsibilities, the duration of the fixed term will be established at the outset.

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

TLRs are awarded to the holders of the posts indicated in the attached staffing structure and implementation plan.

Governors may wish to refer to Local Authority recommended Level 1, Level 2 and Level 3 TLR's for payment level.

Each of the School's Governing Bodies has decided to use different spot points within each of the TLR Payment Levels.

SECTION 7 RECRUITMENT AND RETENTION INCENTIVES AND BENEFITS

Governors may make payments or provide other financial assistance, support or benefits to a teacher as it considers necessary as an incentive for the recruitment or retention. Governors will review annually the award and duration of any recruitment and retention incentives and benefits.

Recruitment Incentives

Each of the School's Governing Bodies will pay recruitment incentives to **all teachers; to those in shortage subjects as defined by the schools; or after one/two advertisements have failed to produce a suitable candidate for appointment** for a fixed period. The expected duration of the arrangement will be clearly communicated in each case.

Retention Incentives

Each of the School's Governing Bodies will pay retention incentives to **specific curriculum or management areas where there is a shortage of suitable candidates** for a fixed period and may, in exceptional circumstances, be renewed.

If Governors have decided to exercise discretion to extend the period of payment for retention awards they should state the reasons why, e.g.

Governors have decided that these exceptional circumstances are: -

- i) Where governors have already determined the level and type of incentive or benefit they should include details here:**

Recruitment and Retention incentives should not be made where additional payment for the same reason has been incorporated into base pay for members of the leadership team.

In the case of Headteachers a Recruitment or Retention incentive cannot be paid where a separate discretionary payment has also been made for the same reason. Recruitment and Retention incentives are also subject to the overall 25% limit on discretionary payments.

Other Benefits

Any other discretionary benefits will be defined below.

SECTION 8 SPECIAL EDUCATIONAL NEEDS ALLOWANCE

Eligible teachers are those on the main and upper pay ranges. A spot rate SEN allowance between £2043- £4034 is payable to a classroom teacher who meets the following criteria for such an allowance. Governors may wish to refer to Local Authority agreed rates for Level 1 and Level 2 allowances.

Governors must award a SEN allowance to a classroom teacher-

(a) In any SEN post that requires a mandatory SEN qualification

Note that the SENCO qualification does not apply

(b) In a special school;

(c) Who teaches pupils in a designated special class (es) or units in a school

(d) In any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post -

(i) involves a substantial element of working directly with children with special educational needs;

(ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and

(iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school

Where a SEN allowance is to be paid, governors must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors-

(a) whether any mandatory qualifications are required for the post;

Note that the SENCO qualification does not apply here – an example of a qualification that would apply is a qualification relating to teaching of children with sensory needs

(b) the qualifications or expertise of the teacher relevant to the post; and

(c) the relative demands of the post

Governors must set out below the arrangements for rewarding classroom teachers with SEN responsibilities:

SEN Allowance is payable to classroom teachers, which does not include Unqualified Teachers, Leading practitioners, Assistant Heads, Deputy Heads or Headteachers.

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;*

- ensure that any responsibilities are clearly specified in individual teachers' job descriptions, and are clear in the school's published staffing structure.
-

SECTION 9 PART TIME TEACHERS

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time, they are eligible for main and upper pay range points and allowances on the same basis as full time teachers.

The salary/allowances of a part-time teacher must be determined in accordance with the pro-rata principle.

“pro rata principle” means that proportion of total pay (what the teacher would be paid if employed in the same post on a full time basis) which corresponds to the number of hours that the teacher is employed during the course of the school’s timetabled teaching week as a proportion of the total number of hours in the school’s timetabled teaching week;

“the school’s timetabled teaching week” means the aggregate period of time in the school timetable during which pupils are normally taught).

When determining a part time teacher’s salary in accordance with the pro rata principle the governing body will consider not only the hours normally worked under the contract of employment but also any additional hours the teacher may agree to work from time to time at the request of the head teacher or in the case where the part-time teacher is a head teacher, the Governing body.

The same percentage must be applied to any allowances awarded to a part-time teacher.

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.

Schools will plan in advance and discuss with their part time staff the expectations of the school in relation to attendance at staff meetings, parent meetings and any other regular meetings outside their contracted hours.

There is no requirement for part time teachers to work a fixed proportion of planned training days, the Headteacher should consider how part time workers will obtain information disseminated at training days they are not able to attend.

Part time teachers cannot be required to work or attend non-pupil days on days when they do not normally work. They may however agree to attend staff/departmental meetings, parent/open evenings and INSET days and other non-pupil days on their non working days by mutual agreement. Where this is the case they should be paid an additional payment for working non-contracted days.

Full time teachers can be required to work under the direction of the Headteacher for up to 1265 hours per year. A part time teacher would be directed to work a percentage of these 1265 hours. All directed time should fall on days when they are normally contracted to work.

Part time workers are only expected to undertake a part time equivalent of a full time teachers directed time. Where their activities exceed the pro rata level of directed time payment for additional working time should be made.

Where part time workers agree to work on a day they do not normally work this is not directed time. The STPCD formula for additional payment for working time is 1/1265 of the appropriate full time pay for each hour of additional working time.

SECTION 10 SHORT NOTICE/SUPPLY TEACHERS

Teachers employed on a day-to-day or other short notice basis must be paid on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata. Such teachers who are 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 would have been paid had the teacher been in regular employment throughout the period.

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

SECTION 11 UNQUALIFIED TEACHERS PAY

(Including those appointed on Employment Based Routes to become a Qualified Teacher).

There are three types of 'unqualified teacher' (UQ) employed in schools:

- Trainees working towards qualified teacher status (QTS).
- Overseas trained teachers who have not exceeded four years in post without attaining QTS status.
- Unqualified teachers or instructors with a particular skill.

Unqualified Teachers will only be appointed where:

No qualified teacher is available following attempts at recruitment (except in the case of unqualified teachers or instructors with a particular skill)

The School is supporting an individual through employment based route to obtain qualified teacher status, e.g. Graduate Training Programme

Unqualified teachers will only be appointed on a fixed term contract of one year and should seek to become qualified within that year. (Except in the case of unqualified teachers or instructors with a particular skill who may be employed on an ongoing basis)

Each of the Schools Governing Bodies will, when determining on which point to place unqualified teachers on the unqualified teachers' pay range when they are appointed,

take account of any relevant qualifications and experience. Unqualified teachers may be appointed above the minimum where governors consider the following criteria:

- A recognised overseas teaching qualification
- A recognised post-16 teaching qualification
- A recognised qualification relevant to their subject area
- Experience other than employment as an unqualified teacher which the relevant body consider to be of value to the performance of the unqualified teachers duties.
- Excellent performance over the previous school year having regard to all aspects of the teachers professional duties, in particular, classroom teaching.
- Experience as an overseas-trained teacher
- Experience of teaching in further education, including sixth form colleges.
- Experience teaching in higher education.
- Experience working in a relevant area for example 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.

The policy at this school is that a pay progression recommendation will not be made for any teacher whose performance is unsatisfactory because they are or have been managed within the formal stages of the capability procedures. Where a teacher has successfully engaged with and is no longer in formal capability procedures the governors will review their overall performance in line with the general performance pay progression criteria in determining whether a pay progression recommendation will be made. Where a decision has been made not to recommend pay progression the teacher must be notified in writing of this decision and the reasons.

New unqualified teachers will be appointed on the minimum point of the pay range unless they have experience other than employment that is deemed by each of the School's Governing Bodies to be of value to their duties.

Unqualified teachers' allowance

Governing bodies may pay an additional allowance to an unqualified teacher, in the context of their staffing structure and pay policy, if they consider that the unqualified teacher has:

- (a) A sustained additional responsibility which is focused on teaching and learning, and requires the exercise of a teacher's professional skills and judgement; or

(b) Qualifications or experience which bring added value to the role they are undertaking

- *The pay policy should set out the way in which decisions are taken on allowances for unqualified teachers, so that there is transparency*
- *Unqualified teachers may not hold TLRs or receive SEN payments.*

Unqualified teacher who becomes qualified

Where an unqualified teacher becomes qualified the relevant body must transfer the teacher to the main pay range. If employed in the same school their salary must be the same or higher that it was on the unqualified teacher range.

After qualifying the unqualified teacher should be placed on the next point on the classroom teachers pay range above the sum of the salary and any allowances, or to such a point the relevant body consider appropriate. The Governors have decided that in all but exceptional circumstances this will be the bottom point of the pay range. In most cases for new appointments will start at the bottom of their range however for this is subject to the schools approach to basic pay determination on appointment as outlined in 1.5 and teachers' pay discretions as outlined in Section 3 of the pay policy

Teachers who obtain QTS retrospectively must be paid a lump sum by the Governing body of the difference between their pay as an unqualified teacher and the salary they would have been paid as a qualified teacher from the date QTS was obtained.

The governing body will pay an unqualified teacher on one of the employment based routes into teaching on the unqualified teachers' range.

SECTION 12 ADDITIONAL DISCRETIONARY PAYMENTS FOR TEACHERS

Governors may make discretionary payments for the following activities, where this is the case they will determine the appropriate rate of pay:

- Continuing professional development undertaken outside the school day
- Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
- Participation in out of school hours learning activity
- Additional responsibilities and activities due to, or in respect of the provision of services by the headteacher relating to the raising of education standard to one or more additional schools.
- Additional payments will not be used for the provision of services to a school where the headteacher has been appointed on either a permanent or temporary basis.

Payment will only be made to classroom teachers for those activities undertaken outside the 1265 hours of directed time.

12.1 PAYMENTS FOR CONTINUING PROFESSIONAL DEVELOPMENT (CPD) ACTIVITIES

Additional discretionary payments may be awarded to teachers who agree to undertake CPD outside normal school times, paid at the M6 rate, regardless of their current pay point.

12.2 INITIAL TEACHER TRAINING (ITT) ACTIVITIES

Additional discretionary payments may be awarded to teachers who agree to undertake activities related to providing ITT as part of the ordinary conduct of the school.

Teachers who undertake voluntary school-based initial teacher training activities will be entitled to a payment at M6, awarded where not already reflected in their additional responsibility allowance.

Activities may include - supervising and observing teaching practice; giving feedback to students on their performance and acting as professional mentors; and formally assessing students' competences; planning an initial teacher training course; preparing course materials; and taking responsibility for the well-being and tuition of initial teacher training students.

12.3 PAYMENT FOR OUT OF SCHOOL HOURS LEARNING ACTIVITIES

Additional discretionary payments may be awarded for teachers who have agreed to participate in Out of School Hours learning activity.

Teachers who agree to provide learning activities outside of the normal school hours and whose salary range does not take account of such activity will be entitled to a payment at M6, regardless of their current pay point.

The Local Authority recommended rate of pay in such cases is M6.

Activities that will attract payment include - 1-2-1 Tutoring, breakfast clubs, homework clubs; summer schools (study support, literacy and gifted and talented), sporting activities, other outdoor activities, clubs linked to curricular, arts and hobby interest areas.

The basis on which such payments are made should be reviewed regularly.

12.4 PAYMENTS FOR SERVICES FROM ONE SCHOOL TO ANOTHER

Additional discretionary payments may be awarded for teachers for additional responsibilities and activities due to, or in respect of, the provision of services by the Headteacher relating to the raising of educational standards to one or more additional schools.

SECTION 13 LEAVE OF ABSENCE

Teachers employed full-time must be available for work for 195 days in any year, of which 190 days shall be days when they may be required to teach children.

Requests for leave of absence for reasons other than personal sickness will be considered by the Headteacher in consultation with the Governing Body as appropriate, and within the framework of the school's Leave of Absence Policy.

Leave may be granted with or without pay in line with the School's Leave of Absence Policy. Employees are advised to seek advice on how this may impact upon their pension.

13.1 NON PAY INCENTIVES

Staff Development activities such as short courses, supporting priorities identified in the School's Development Plan or through individual staff development interviews and the school's Performance Management Policy will be funded, budgetary constraints permitting, by the school.

13.2 OTHER PAYMENTS

Regarding Travelling and Subsistence, the Governors adhere to the City Council's Local Agreement for the payment of travel and subsistence expenses to teachers. Journeys undertaken during the normal school day reimbursement of travelling expenses is restricted to expenditure incurred which is additional to that which the teacher would normally expend in travelling between home and school. All journeys between home and normal place of work are taxable. For details of which journeys are taxable and non-taxable see Appendix 9.

13.4 HONORARIA

There is no provision within the STPCD for the payment of bonuses or honoraria of any kind.

SECTION 14 SUPPORT STAFF

14.1 INTRODUCTION

The governing body recognises and values the contribution made to the school by support staff.

Salaries paid to support staff will comply with all local and national agreements on employee's condition of service: national pay scales, National Joint Council for Local Government Services and Sheffield City Council Job Evaluation Scheme.

The Governors recognise that this section will need to be kept under review because of potential changes to the above.

The Governors recognise that they have a responsibility under the School Staffing Regulations in relation to the employment and remuneration of support staff they are:

- Establishing posts and determining the number of employees.
- Arranging the working hours of employees (i.e. full-time, part-time, term time only).
- Selecting the grade of a post on the Local Authority Pay scales and consulting with the Local Authority about the grading of any new posts that the school wishes to introduce, or proposed changes to the grades of any existing posts.
- Determining the starting point on the incremental scale for new appointments (in line with Local and National Conditions of Service).
- Awarding accelerated increments on the pay scale.
- Authorising leave with or without pay for reasons other than personal sickness.
- Awarding any other discretionary points, which may be introduced as a result of a national or local agreement.

14.2 WORKING HOURS

A full-time employee will be as defined in the relevant Pay and Conditions of Service Book. The standard full time working week for all support staff is 37 hours per week. A full-time working year is 52 weeks.

For employees working less than full-time, the annual number of hours to be worked will be those determined to support the School Development/Improvement Plan and other approved documents

Working hours may be varied on a permanent or temporary basis to suit the needs of the school by agreement with the employee concerned.

14.3 THE GRADING OF POSTS

Governors have discretion to identify an appropriate grade from those used by the City Council

When establishing an appropriate grade for a post, the Governors will be mindful of the comparability of pay with employees holding similar posts in other Sheffield schools. The pay for a post may be a single point or a range of points. Governors will consult with their Human Resources provider and the Local Authority before confirming any regarding of an existing post or before applying a grade to a new post. The Local Authority's Schools Pay and Grading Allocation Panel is the mechanism through which schools submit new or amended posts to obtain a recommendation on what is an appropriate grade from the Local Authority. **Please note for Community, Voluntary Controlled, Community Special and Maintained Nursery schools this is a statutory requirement under the School Staffing (England) Regulations 2009.**

While it is a statutory requirement for schools to have an adopted pay policy in place, this statutory requirement does not extend to support staff however having one ensures consistency in decision making and can avoid equal pay challenge.

14.4 DETERMINING THE STARTING POINT ON THE INCREMENTAL SCALE FOR NEW APPOINTMENTS

The starting salary of a newly appointed employee will normally be the minimum of the advertised scale, with incremental progression within the range specified in the advertisement and job description.

Each of the Schools Governing Bodies does have the discretion to place a new starter on a higher point than the base point of the scale e.g. where their current salary is higher than the bottom of the range. In these circumstances staff can be placed on a higher point provided evidence is available of higher earnings.

The School Staffing (England) Regulations 2009 to support staff increments within a pay grade although (for maintained schools) the local authority can make representations about where the school decides to place an individual within that grade, the governors are required to consider these representations.

Any decision to exercise this discretion will only be made in exceptional circumstances and with advice from the HR Provider and the Local Authority.

14.5 PROBATIONARY PERIOD

Governors note that the City Council has introduced a 6-month probationary period for newly appointed support staff. Governors will follow the guidance provided by their Human Resources provider in managing this probationary period.

SECTION 14.6 INCREMENTAL PROGRESSION ON SALARY SCALE

Incremental progression on the salary scale where applicable is payable annually on 1 April.

However, for individuals appointed to a post between 1 October and 31 March, they will receive their first increment following 6 months of service in post and then annually on 1 April thereafter until the maximum of the scale specified in the job description and contract of employment is reached.

Please note that some posts are based on spot points only with no incremental progression.

SECTION 14.7 TEMPORARY ADDITIONAL RESPONSIBILITIES ALLOWANCE

Governors may award Temporary Additional Responsibilities Allowance to employees that provide cover when a supervisor, manager or other more senior colleague is absent due to sickness or annual leave for periods over one calendar month. The school will seek advice from the HR provider to ensure that any allowance made takes into account the principles of equal pay for equal value work and the basis for those decisions is consistently applied within the school/local authority.

Where an employee provides cover for the full range of duties, they will receive a temporary additional duties allowance that equates to the difference between their current point on the salary scale and the minimum spinal column point of the grade of the person whose duties they are covering.

If cover continues for a long period, incremental progression will apply at the appropriate time, as if they had been given a temporary appointment to the post being covered.

Where an employee covers part of the duties or if two or more employees provide cover, they will receive a temporary additional duties allowance equivalent to the relevant proportion of the difference between their salary and that of role being covered.

The amount of the allowance is to be agreed with the employees concerned depending on the additional responsibilities they are accepting. Employees will receive annual pay award increases on the allowance.

Where an employee provides cover on a pay grade that overlaps with the grade of the post they are covering, the employee will receive Temporary Additional Responsibilities Allowance at one increment above their normal rate of pay. This may be varied, but not increased in circumstances where an employee covers part of the duties, or two or more employees provide cover.

These provisions should be used for short term cover arrangements only and should be subject to monthly review.

SECTION 14.8 AUTHORISING AND PAYING FOR THE WORKING OF ADDITIONAL HOURS

If the need arises, the hours worked by a member of the support staff may be increased contractually, by negotiation and a change in the contract terms, subject to the agreement of the post holder, Headteacher and the Chair of Governors.

Temporary additional hours for a specific task may be approved and paid for (within agreed budget provisions) or time off in lieu arranged. (Clarity of whether payment or time off in lieu is to be given should be made clear to the employee in advance of the extra hours being undertaken).

The discretion to negotiate an agreed temporary or permanent variation of hours with the employee concerned is delegated to the Headteacher.

SECTION 14.9 AUTHORISED LEAVE OF ABSENCE FOR REASONS OTHER THAN PERSONAL SICKNESS

Requests for leave of absence other than for personal sickness will be considered by the Headteacher, in consultation with the Governing Body, and within the framework of the School's Leave of Absence Policy.

Leave may be granted with or without pay in line with the school's Leave of Absence Policy.

SECTION 14.10 NON PAY INCENTIVES

Staff Development including short courses, supporting priorities identified in the School Development Plan and through individual staff development interviews will be funded, budgetary constraints permitting.

14.10.1 OTHER PAYMENTS

Regarding Travelling and Subsistence the Governors will adhere to the City Council's Local Agreement for the payment of travel and subsistence expenses to Support staff.

14.10.2 SALARY SAFEGUARDING

Governors note City Council policy relating to salary protection for support staff. Salary protection is in place for staff that are downgraded as a result of either redeployment or a restructure i.e. any person redeployed to the school in accordance with Sheffield City Council redeployment procedures shall have their salary protected on a 'red circled' basis (i.e. salary will continue to be paid at the substantive rate of pay applicable* immediately prior to redeployment, if this is higher than the salary for the post to which they have been redeployed).

The protected rate of pay will be limited to 1 grade higher than the substantive grade of the post to which the employee has been redeployed.

This protection will continue for a maximum of two years from the date of redeployment or until the substantive salary of the new post equals or exceeds the protected rate of pay, whichever is soonest.

The red circled pay protection will be for four years where the employee's salary is equivalent to or less than the hourly rate for Spinal Column Point 13.

During the period of protected salary being paid under this paragraph the employee shall not benefit from any agreed pay awards or incremental progression, save to the extent that any such award or progression on his/her new salary scale would exceed the protected rate of pay.

Model statement for Governors to consider:

The Headteacher reserves the right to allocate duties and responsibilities to staff in receipt of protected salaries that are commensurate with their protected salary.

Governors and the Headteacher will undertake to give priority consideration to colleagues in receipt of the aforementioned protected salaries for any suitable and relevant substantive posts that become available in the school that are commensurate with their protected salary grade. This is in order to minimise the protected element of the salary that is funded by the Local Authority centrally but which consequently affects the aggregate monies available for allocation to schools.

GENERAL – TEACHERS AND SUPPORT STAFF

SECTION 15 EQUALITY ISSUES, CONSULTATION AND RECORDING

Each of the School's Governing Bodies will, through its pay policy and other means seek to ensure that staff are afforded equal opportunities, in all matters relating to gender, race, disability, religion, sexual orientation and age.

The Governing Bodies will monitor the outcomes and impact of this policy on a regular basis e.g. annually, including trends in progression across specific groups of teachers to assess its effective and the school's continued compliance with equalities legislation.

SECTION 16 PARITY WITH OTHER SCHOOLS

The Governors, in operating their own pay policy, are sensitive to the pay policies operated by other schools in the City Council

Governors wish to ensure that their individual pay policies do not undermine this position by competing or creating disparity on salaries. Advice will be sought from the schools HR provider and the Local Authority where necessary to ensure that consistency is maintained and to ensure that observation of equal pay legislation is not compromised.

SECTION 17 CONSULTATION

Governors note that the model policy from the Local Authority School's Human Resources upon which this school policy has been based has been the subject of consultation with local Trade Union representatives.

The Governors will ensure that all members of staff have access to a copy of the School's Pay Policy and that they, their work site representatives, and the Human Resources Provider are consulted about its content and implementation.

The Governors will make the Pay Policy subject to annual consultation and review.

SECTION 18 SALARY RECORDS

All staff will have the right to access their own salary records. Any member of staff requesting their salary record should contact the Headteacher. The school will ensure confidentiality of staff salaries information. It will be stored in a secure place and access will be controlled in line with the requirements of the Data Protection Act.

SECTION 19 JOB DESCRIPTIONS AND CONTRACTS OF EMPLOYMENT

Each of the Pay and Performance Committees of the Governing Bodies at Talbot Specialist and Bents Green Schools are responsible for ensuring that: -

- Each post has a job description that accurately sets out the duties of that post.
- Every member of staff has a contract of employment.
- Through the schools HR provider, all new appointees receive a letter of appointment and statement of particulars. The committee will ensure that these requirements are being satisfied and include a check as part of its annual review, raising any related concerns with the HR provider.

Governors note that the Job Descriptions of all teaching staff, including those in the 'Leadership Group' (Executive Headteacher, Headteacher, Deputy Headteacher(s) and any Assistant Headteacher(s) incorporate responsibilities as identified in the school's Performance Management Policy.

These job descriptions will be reviewed annually to reflect any relevant changes in legislation and to ensure they reflect the needs of the school.

SECTION 20 APPEALS PROCESS

Teachers have the right to make written representations about any pay progression recommendations under the School's Pay Policy. The arrangements for considering appeals are as follows:

A teacher may seek a review of any determination in relation to his/her pay or any other decision taken by the Pay and Performance Committee that affects his/her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination;

That the person or committee by whom the decision was made –

- a) Incorrectly applied any provision of the Document;
- b) Failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;

- d) took account of irrelevant or inaccurate evidence;
- e) Was biased; or
- f) Otherwise unlawfully discriminated against the teacher.

Stage one - Making representations to the pay committee

Teachers who have not been progressed from their existing point should be given the opportunity to make a written representation in the first instance to the Pay and Performance Committee.

The written representation should explain the grounds on which it is based.

Grounds for representations

The Committee's decision is a

- Potential breach of the school's Equal Opportunities policy and/or legislation
- Failure by headteacher and/or Pay and Performance Committee to follow its own policy
- Failure by headteacher and/or Pay and Performance Committee to consider all relevant and available evidence relating to the teacher's performance
- Failure by headteacher to provide the teacher with an opportunity to submit relevant and available evidence prior to the Headteacher's recommendation to the Pay and Performance Committee

Please note that this procedure is not to be used to deal with:

- i) Issues relating to the teacher's competence
- ii) The performance of other teachers

This procedure should be used by the teacher to raise any grievances they may have about the headteacher's recommendation and the Pay and Performance Committee's decision.

Procedure for Making Representations to the Pay and Performance Committee

(When an individual teacher is dissatisfied with the Committee's decision not to progress them to the next point)

Teacher's representations should be in writing addressed to the Chair of the committee within 10 days of being notified of the Committee's pay decision.

Chair of Committee advises date/time on which representations will be heard. This will be within 10 days

5 days prior to the representation to the Pay and Performance Committee the teacher and headteacher should each circulate to all parties a short statement (no more than 2

sides of A4) outlining the main points of their case. Attached to the statement should be any relevant appendices.

In attendance

- Employee (and their representative)
- Headteacher (and support officer)
- Representatives of the Pay and Performance Committee

Process/Conduct of meeting

- i) Chair of Committee introduces all parties and explains purpose of meeting.
- ii) Headteacher (and any relevant support officer attending, e.g. school link adviser) confirm information given to the Pay and Performance Committee on which the decision not to progress the teacher was made.
- iii) Pay and Performance Committee confirm the reasons for the original decision they made.
- iv) Teacher and/or Trade Union representative offered the chance to ask questions of the Headteacher, any support officer attending and Pay and Performance Committee.
- v) Pay and Performance Committee have the opportunity to ask Headteacher (and any relevant support officer attending) questions.
- vi) Teacher and/or Trade Union representative present case to Pay and Performance Committee for teacher to be progressed to next point, explaining reasons for appealing against the original decision.
- vii) Headteacher (and support officer) ask questions of the teacher and/or Trade Union representative.
- viii) Pay and Performance Committee members offered the chance to ask further questions from the teacher and/or Trade Union representative.
- viii) All parties given the opportunity to summarise their position with the teacher's summary being the final one.
- (ix) Pay and Performance Committee adjourn to make final decision on their recommendation. All other parties leave the room. The Human Resources representative advising the Pay and Performance Committee remains with the Pay Committee whilst it deliberates.
- (x) Pay and Performance Committee call parties back together to give their final decision.
- (xi) Decision is confirmed in writing within three working days.

Outcomes

- Original decision is upheld and pay progression is denied
- Original decision is overturned and pay progression is granted

Stage two - Appeals committee

Where a teacher's representations fail to overturn the decision of the Pay and Performance Committee the teacher can make a final appeal to the Appeals Committee. The Appeal must be lodged within 5 working days of receipt of the Pay and Performance Committee's decision.

The committee must consist of 3 governors who are not employees of the school and should have had no prior involvement in the process.

To make an appeal the teacher must write to the chair of the Appeals committee and state their grounds for appeal.

The committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.

Any appeal should be heard by a panel of three governors who were not involved in the original determination, 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. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

Grounds for appeal

The available grounds for appeal are,

The committee's decision is a

1. Potential breach of the school's Equal Opportunities Policy and/or legislation
2. Failure by Headteacher and/or Pay and Performance Committee to follow its own policy
3. Failure by headteacher and/or Pay and Performance Committee to consider all relevant and available evidence relating to the teacher's performance
4. Failure by headteacher and/or Pay and Performance Committee to provide the teacher with an opportunity to submit all relevant and available evidence prior to Pay and Performance Committee making a decision about a Headteacher recommendation.

Please note that this appeal is not dealing with:

- ii) **Issues relating to a teacher's competence**
- iii) **The performance of other teachers**

But it is to be used to deal with any grievance to the decision of the Governing Body relating to the non award for a salary point to a teacher. A teacher cannot use the grievance procedure in addition to this procedure.

Written Submissions

Each side are required to make short written submissions to the Appeals Committee. These must be received by the Chair of this Committee at least 5 working days prior to the Appeal taking place. Attached should be any relevant appendices

No individual representation or Appeal to either the Pay and Performance or Appeal Committee will be expected to last more than 1 ½ hours.

In attendance

- Employee (and their representative)
- Headteacher (and support officer)
- Appeals Committee (advised by HR Representative)
- Witnesses

Process/conduct of Appeal Hearing

1. Chair of the Appeals Committee
 - introduces the parties
 - confirms the basis of the meeting
 - confirms that the appeal is the final stage of the procedure.
2. The employee or their Trade Union representative(s) puts the case to the Appeals Committee hearing the case in the presence of the Headteacher and their advisers and may call witnesses. Witnesses will only be introduced into the appeal at the appropriate point of the employee's presentation.
3. The Headteacher (and their advisers where appropriate) should be given the opportunity to ask questions of the employee or their representative(s) on the evidence given and any witnesses called (at the time the witness is in the meeting).
4. The Appeals Committee may ask questions of the employee or their Trade Union representative(s) and of any witnesses (at the time the witness is in the meeting).
5. The Headteacher puts his/her case in the presence of the employee and their Trade Union representative(s) and may call witnesses.
6. The employee or their Trade Union representative(s) will have the opportunity to ask questions of the Headteacher and any witnesses (when present).
7. The Appeals Committee may ask questions of the Headteacher (and their advisers where appropriate) and any witnesses (when present).
8. The Headteacher (and their advisers where appropriate) and then the employee or their Trade Union representative(s) have the opportunity to sum up their case if they so wish.
9. The employee or their Trade Union representative and the Headteacher (and their advisers where appropriate) will withdraw.
10. The Appeals Committee (with advice from a HR representative if present) will consider the facts presented. Should the Chair require further information or clarification from either side, both sides should be recalled.
11. The Chair will announce the decision to the parties personally at the conclusion of the Appeal unless an adjournment is decided.

12. The Appeal Committee's decisions will be confirmed in writing within three working days.

Use of Witnesses

Witnesses can be called by the Headteacher or by the trade union/employee representatives.

Witnesses should only be invited into the hearing at the appropriate point of either side's representation of case.

The witness should be questioned immediately after giving evidence by the other party and then by the Chair/Appeals Committee and then should withdraw to allow the presentation of case to continue.

Role of Human Resources Representative at the Appeal

The role Human Resources representative is to advise on the conduct of the appeal and on the interpretation of conditions of service, good management practice, precedents and legislation. The outcome/decision of the appeal rests solely with the Appeals Committee.

Support Staff – Appeals against changes to their role/grade

Where a member of support staff wishes to appeal against any changes to their job and/or grade they should raise an individual grievance using the school's Grievance Procedure.

Equal opportunities legislation

Appendix 1

Procedures for determining pay must comply with all the requirements of discrimination legislation. The pay policy should therefore make clear the relevant body's compliance with the following legislation, as amended: 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 of Less Favourable Treatment) Regulations 2002.

- Equality Act 2010.
- [The Equal Pay Act 1970](#)
- [The Employment Rights Act 1996](#)
- [The Employment Relations Act 1999](#) and [The Employment Act 2002](#),
- [The Part-Time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#)
- [The Employment Act 2002 \(Dispute Resolution\) Regulations](#)
- The [Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#).

MODEL FOR SCHOOL PAY AND PERFORMANCE COMMITTEE

The Pay and Performance Committee of each of the Governing Bodies is authorised to recommend / decide all pay matters, but decisions will not be notified to staff until the respective Full Governing Body has agreed.

1. MEMBERSHIP

Four members will be elected by each of the Schools Governing Bodies to be representatives on their respective Pay and Performance Committee.

Where the Executive Headteacher and Headteacher (s) are not members of the Pay and Performance Committee, they will be entitled to attend all meetings in an advisory capacity. The Executive Headteacher / Headteacher (s) will leave the meeting when their pay is being discussed.

2. TERMS OF REFERENCE

- . The committee will have full powers to make recommendations/decisions within the pay policy adopted by the governing body. The terms of reference are as follows:
- . To achieve the aims and objectives of the school pay policy
- . To apply the criteria set by the policy, including linkages with the school performance management policy, in determining the pay of each member of staff
- . To observe all statutory and contractual obligations
- . To ensure that the policy complies with the most recent School Teachers' Pay & Conditions Document
- . To ensure that all pay decisions have regard to the legislation outlined in Basic Principles (section 1) of the Model School Pay Policy
- . To recommend the annual pay budget, including pay progression at all levels. The governing body recognises that funding cannot be used as a criterion to decide performance pay progression
- . To minute clearly the reasons for all recommendations / decisions and to report these to the full governing body
- . To ensure that each member of staff receives, by 31st October each year, a written statement of the breakdown of pay as at 1 September.
- . To ensure that staff know the procedure for making an appeal against pay decisions
- . To ensure that clear job descriptions for each post at the school, so that additional allowances can be awarded in a fair, equitable and consistent manner

- . To keep abreast of developments influencing pay considerations and to advise the governing body when the pay policy needs to be reviewed

3. PECUNIARY INTEREST

No governor may participate in discussions leading to recommendations / decisions in which he / she has a pecuniary interest.

4. PROCEDURE

Each of the schools Full Governing Bodies will receive the report of their respective Pay and Performance Committee in the confidential section of the agenda. Once decisions have been made/communicated, they will be advised in writing to members of staff. Every teacher's salary must be reviewed annually, with effect from 1st September. A written statement of pay must be sent to each teacher by 31st October each year.

Teaching Staff Journeys – list of taxable and non-taxable activities

Journey type non-taxable

- Collecting urgent supplies
- Duke of Edinburgh Award – project work and other curricular activities concerned with Duke of Edinburgh Award
- Inter-school travel for staff meetings/projects other than educational visits
- Official visits to home of registered pupils
- Examination panels
- Committee working parties, representation on other bodies
- In service training – Sheffield based courses
- Visits to outside establishments e.g. industry and works experiences
- Games and athletics – organised weekend of evening activities held at venues other than place of employment
- Taking sick members of staff to home or to hospital

Journey type extra curricula activities – taxable

- Parents evening and open evening held at school
- School plays/concerts held at school – for those members of staff who must be present
- Evening preparation or rehearsal of activities held at school e.g. choir, drama etc.
- Games and athletics – organised weekend of evening activities held at school
- Attending to livestock etc. at school, out of hours
- Attending out of school hours for emergencies e.g. burglaries, vandalism etc.

Summary of Key Decisions for Governors in relation to the Pay Policy

- Confirm group size
- Decide whether to exercise any pay discretions in relation to exceeding pay range linked to group size for members of leadership team
- Decide 7 point Individual School Range (ISR)
- Determine 5 point salary range for Deputy and Assistant Headteachers
- Determine the number of teachers to be employed
- Establish how discretionary payments will be used and the length of service required for each point
- Determine the placement and movement of teachers up the main and upper pay spines
- Establish circumstances in which the Headteacher will be awarded 2 or more performance points
- Establish circumstances in which the Deputy and Assistant Headteacher will be awarded a 2 or more performance points
- Establish circumstances in which Leading Practitioner will be awarded pay progression points
- Set a 5 point range for Leading Practitioners
- Establish circumstances in which Main Scale classroom teachers will be awarded an extra point on the Main Pay Scale
- Determine the number and level of TLR's to be awarded
- Determine the level of pay for Level 1 Level 2 and Level 3 TLR's and duration of level 3 TLR's
- Decide whether Recruitment and Retention incentives and benefits will be used
- Determine the basis of any such incentives or benefits
- Determine the spot value of any special education needs allowances
- Determine the qualification and experience requirements to support SEN allowances
- Determine the arrangements for rewarding classroom teachers with SEN responsibilities
- Determine the number of additional points awarded to unqualified teachers in specified circumstances
- Determine if any additional unqualified teacher allowances will be payable and at what level
- Determine at what level unqualified teachers on employment based routes will be paid
- Determine rates of pay for additional discretionary payments including
 - Continuing professional development activities
 - Initial teacher training activities
 - Out of school hours learning activities
 - Payments for services from one school to another
- Determine the criteria for any additional increments for new support staff appointments

UPPER PAY RANGE APPLICATION FORM

Teacher's Details:

Name:

Post:

PM/Appraisal details:

Year(s) covered by planning/review statements

School(s) covered by planning/review statements

Declaration:

I confirm that at the date of this request for assessment to access the upper pay range I meet the eligibility criteria as specified by the school and I submit performance management/appraisal planning and review statements covering the relevant period.

Applicant's signature:

Text

Date: