



## Teachers Pay Policy and Procedure

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## **1.0 PURPOSE OF POLICY**

The Governing will set out the basis on which it will determine teachers' pay, the date by which it will determine the teachers annual pay review and establish procedures for addressing teachers' grievances (appeals) in relation to their pay in line with the ACAS Code of Practice.

Schools that purchase and follow the advice of Your HR and fully adopt and implement this Pay Policy will have access to qualified HR advice.

## **2.0 SCOPE OF POLICY**

This Policy applies to all staff employed on School Teachers Terms and Conditions to comply with the legislative requirements of the School Teachers Pay and Conditions Document 2021, further referenced as the 'STPCD'.

The Policy sets out the framework for making decisions on teachers' pay and will be used in conjunction with the School' Appraisal Policy which complies with the legislative requirements of The Education (School Teachers' Appraisal) (England) Regulations 2012, further referenced as 'the Regulations'.

## **3.0 POLICY PRINCIPLES**

The Governing Body will act with integrity, confidentiality, objectivity, and honesty in the best interests of the School. The principles of this policy are:

- To maintain and improve the quality of education for pupils in the School by having a pay policy which supports the Schools Improvement Plan.
- To demonstrate to all staff that the Governing Body is managing its pay policy in a fair and objective manner.
- To illustrate that continued good performance, as defined by this policy, should give classroom teachers (including Leading Practitioners) or unqualified teachers an expectation of progression to the top of their respective pay range, following successful appraisal reviews. It is not necessary for the school to adopt rigid models that seek to set out exactly what the relevant standards mean for teachers at different stages in their careers and teachers should not be expected to routinely provide evidence that they have met all the standards. Reference: Implementing Your Schools Approach to Pay 2018 (revised 2019)
- To illustrate that continued high quality performance should give a Leadership Group Member an expectation of movement through the pay range, having regard to the results of the most recent appraisal carried out in accordance with the 2012 Regulations or the objectives agreed or set under paragraph 11.2.(c) of the STPCD (as the case may be).
- To support the recruitment and retention of a high-quality teacher workforce.

- To enable the implementation of a statutory provision (local provision for Academy Schools), this Policy will be supported with local agreements.
- To ensure equality of opportunity for employees and to ensure compliance with The Equality Act 2010. The Governing Body will promote equality in all aspects of school life, particularly with regard to all decisions on the advertising of posts, appointing, promoting and paying staff training and staff development. The same equality shall be applied to fixed term and part time workers.

#### **4.0 DEFINITIONS/REFERENCES**

- LPR means Leadership Pay Range:
- LPPR means Leading Practitioner Pay Range:
- MPR means Main Pay Range:
- UPR means Upper Pay Range:
- UTR means Unqualified Teacher Range.
- STPCD means School Teachers Pay and Conditions Document.
- 'the regulations' mean The Education (School Teachers' Appraisal) (England) Regulations 2012:
- The relevant body means a body which has the duty to maintain the School / Academy, this could be, for example, the Local Authority, an Academy Trust Body or Central Government:
- Trust Body means the overarching responsible body of an Academy School or Multi Academy Trust / Company:

#### **5.0 LEGAL CONTEXT**

The Governing Body will comply with relevant equalities legislation, including:

- The Employment Relations Act 1999
- The Equality Act 2010 (includes rights to Equal Pay)
- Employment Rights Act 1996
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Agency Workers Regulations 2010
- The Data Protection Act 2018
- General Data Protection Regulation

The Governing Body will monitor the impact of this policy.

#### **6.0 EQUALITY & PERFORMANCE RELATED PAY**

The Governing Body will ensure that its processes are open, transparent and fair and that pay grades and progression do not disadvantage anyone as a result of a

protected characteristic. This can be achieved through annual monitoring. All decisions will be objectively justified and recorded. Adjustments will be made to take account of special circumstances, e.g. secondments & maternity – refer to the model Appraisal Policy, paragraph 5.5 – Setting Objectives.

Particular care will be taken to ensure that part-time and temporary staff have the same levels of pay as would be attached to similar responsibilities or work of equal value undertaken by full-time and permanent staff.

Where the responsibilities and salary grading of one particular job are reviewed the implications for other jobs in the School will be considered to ensure that account is taken of the impact of additional responsibilities on all staff and equal pay.

## **7.0 PAY AWARD – SEPTEMBER 2021**

The Governing Body will apply the nationally agreed pay award as set out within the STPCD 2021. In Dudley this applies to the first three points of the unqualified teachers' pay range. This will ensure fairness and equality in the application of any pay award, which is separate to the performance related pay progression via the appraisal process:

A consolidated award of £250 to is awarded to all teachers whose full-time equivalent basic earnings are less than £24,000.

Any part-time teacher whose full-time equivalent basic earnings meet the eligibility criteria receive the award on a pro-rata basis according to their working hours.

The award should be paid to all eligible teachers, whether located on a published pay point or not and should be independent of any progression considerations.

The treatment of teachers between existing published pay points, including the management of possible leapfrogging, will be at the discretion of the relevant body which should ensure that no teachers located just above the pay thresholds for eligibility are significantly disadvantaged relative to other teachers.

Relevant bodies should ensure that implementation of the pay award complies with the National Living Wage policy.

\* [The Governing Body to amend section 7 in line with STPCD 2021 if deviating from the above plus all other references to pay values and percentages (including Appendix 1) throughout this Pay Policy. Fundamental changes will result in the need to re-consult with unions.

A list of all pay ranges, reference points and allowances, inclusive of pay awards for 2019, 2020 and 2021 is attached in Appendix 1.

## **8.0 GOVERNING BODY RESPONSIBILITIES & DELEGATIONS**

The Governing Body will establish a dedicated Committee to carry out determinations of pay, often referred to as 'The Pay Committee'. In line with the relevant School Governance Regulations the Governing Body will:

Delegate powers relating to pay matters to the Pay Committee

The terms of reference of the Pay Committee are:

- To review, update and implement the School Pay Policy with appropriate consultation as required
- To work with the Headteacher to ensure that the appraisal process for all teaching staff is implemented effectively
- To ensure the effective appraisal of the Headteacher is carried out in accordance with current Regulations and Appraisal Policy
- To determine the salaries of all teaching staff employed at the School in accordance with statutory and contractual obligations, including annual pay awards
- To notify, in writing, teaching staff of their annual performance related pay review, which will be effective from 1<sup>st</sup> September each year
- To establish fair procedures for addressing pay discrepancies for teaching staff
- To ensure that appropriate salary ranges are determined, recorded and advertised through the recruitment process
- To ensure that recruitment to a teaching post has been duly considered in terms of relevant pay in relation to the candidate's skills, experience and competence
- To consider the recommendations made by the appraiser regarding the salaries of all staff, provide appropriate challenge on proposed pay awards and to ensure written notification is issued
- To formally record all decisions relating to pay
- To clearly minute the rationale for all decisions and report these to the full Governing Body
- To ensure the right to raise a pay grievance in relation to pay decisions following the annual salary review, is complied with in a fair, consistent and transparent manner
- To annually review the terms of reference of the Pay Committee

The Governing Body is responsible for:

- The implementation of the STPCD
- Ensuring that sufficient funds are in place for pay progression and pay awards for all eligible teachers
- Delegating powers and responsibilities to the relevant Sub Committees
- Appointing a Committee of Governors to appraise the Headteacher
- Delegating the day to day management of the policy to the Headteacher
- To ensure all School staff employed on teachers' terms and conditions are aware of this Policy
- Ensuring the right to raise a pay grievance in relation to pay decisions following the salary review statement is complied with in a fair, consistent and transparent manner
- Ensuring that the School complies with equalities legislation
- Nominating a designated Equalities Governor to ensure that appropriate action will be taken to deal with any alleged prejudice related incidents or incidents which are a breach of this policy
- The effective monitoring and evaluation of this policy

The Headteacher is responsible for:

- Ensuring all School staff employed on teachers' terms and conditions (STPCD) are aware of this policy and the implications of its application
- Ensuring that appraisers are equipped to manage the appraisal process in a fair and objective manner and that appraisees understand their obligations under the School's / Academy's Appraisal Policy
- Submitting annual pay recommendations to the Pay Committee
- Maintaining confidential records of pay recommendations and decisions
- Ensuring that appropriate staff development is available within the limits of the School's CPD budget

All Appraisers are responsible for:

- Engaging with the appraisee in the performance related pay appraisal process



- Identifying appropriate training and development in line with the appraisees performance objectives and career aspirations
- Facilitating professional dialogue
- Making a pay recommendation to the Headteacher as part of the appraisal review statement

All Teachers are responsible for:

- Engaging in the performance related pay appraisal process
- Entering into professional dialogue
- Sharing any evidence, they consider relevant with their appraiser
- Identifying their own training and development requirements in line with performance objectives and career aspirations

### **9.0 TIMING OF APPRAISAL/PAY REVIEWS**

This School's appraisal period will run **for twelve months** normally from September to September The pay review will form part of this process.

The appraiser will submit a pay recommendation to the Pay Committee for all teaching staff in the School. For teachers not eligible for pay progression e.g. those currently at UPR3, a statement will be made to confirm they are not eligible and the reason.

The Headteacher's Performance Management Committee will submit a pay recommendation to the \*Pay Committee for the Headteacher.

The Pay Committee will decide whether to:

- Challenge the pay recommendation and may request further evidence
- Accept the pay recommendation
- Decline the pay recommendation

Once the decision has been made, the Pay Committee will, at the earliest opportunity, **but not later than one month after**, ensure that the teacher is notified in writing of the determination.

Pay reviews may take place at any time if there are substantial changes to a role/job description.

The School should manage the appraisal process so that there are no surprises at the end of the year – throughout the appraisal cycle both the teacher and the line manager/appraiser should understand what objectives are in place, the evidence that

will be used and progress towards meeting these. Reference: Implementing Your Schools Approach to Pay 2018 (revised 2019).

All pay reviews will take into account appraisal review statements and relevant evidence as set out in the School's / Academy's Appraisal Policy.

## **10.0 LEADERSHIP SALARY DETERMINATION**

### **10.1 Leadership Group Pay Determination**

When determining the leadership pay ranges, in addition to the total unit score, the Governing Body will take into account all of the permanent responsibilities of the role, any context or challenges that are specific to the role, such as a high level of deprivation and other information such as a significant School Improvement Programme.

When recruiting to a leadership post, any recruitment and retention arrangements will be built into the base salary, with the exception of reimbursement of reasonably incurred housing or relocation costs.

The leadership pay ranges will not normally exceed the maximum of the Headteacher Group, however, the Governing Body will consider exceeding the normal maximum if special circumstances arise. Where the Governing Body believe there is sufficient evidence to exceed the maximum of the Headteacher Group they should seek appropriate advice. Any increase will be no more than 25% above the maximum of the group range. The increase will be a permanent change in the individuals range rather than a lump sum payment. Any decision to increase a range should be formally documented with clear reasons including the context and challenge used to support the decision.

The maximum of the Deputy or Assistant Headteacher's pay range will not exceed the maximum of the Headteacher's pay range and will only overlap in exceptional circumstances.

The Governing Body will determine the Leadership Group Range and appropriate starting point in accordance with the STPCD. Consideration will be given to providing scope for performance related progression over time.

### **10.2 Headteacher of More than One School / Academy: Permanent Arrangement for Headteachers**

Where the Headteacher is appointed as a Headteacher of more than one School, on a permanent basis, the Governing Body of the Headteacher's original school or, under the School Governance (Collaboration) (England) Regulations 2003, the collaborating body must calculate the Headteacher Group by combining the unit score of all the schools for which the Headteacher

is responsible to arrive at a total unit score, which then determines the Headteacher Group.

The Governing Body will determine the Headteacher’s pay range and appropriate starting point in that range in accordance with the STPCD.

### 10.3 Headteacher of More than One School / Academy: Temporary Arrangements for Headteachers

This will be regarded as an Acting Headship on a temporary basis for as long as arrangements are being made for a permanent Headteacher to be recruited.

A fixed term variation of contract will be issued, for no longer than 2 years, stating their temporary additional responsibility for the additional School(s) / Academy(s).

Payment for the additional responsibility will be based on the STPCD.

All Leadership Group appointments will be made with reference to the Department for Education’s Guidance - STPCD.

### 10.4 Leadership Pay Ranges

In this School / Academy the Leadership Pay Ranges are:

*To be completed by the Governing Body*

<b>School / Academy Group Size</b> e.g. Group 3	<b>Group Pay Range</b> e.g. £54,091 - £73,559

*\*NB Please refer to Appendix 2 for group sizes, values, ranges, and notes on 2015 frozen pay points application. Please note that each group size range has a maximum salary for Headteachers as shown in appendix 2*

<b>Leadership Group Role</b>	<b>Leadership Group Pay Range</b> <i>* refer to Appendix 1</i>
e.g. Headteacher/Principal (normally a 7 point range)	£XXXXXX - £XXXXXX (see appendix 2 for group size maxima)
e.g. Deputy Headteacher/Vice Principal (normally a 5 point range)	£XXXXXX - £XXXXXX
e.g. Assistant Headteacher /Assistant Principal (normally a 5 point range)	£XXXXXX - £XXXXXX

*NB previous limit on number of points in a range no longer applies*

For any Headship post that were not subject to the 2015 pay award schools should refer to 2020 reference point values when applying September 2021 pay award.

## 10.5 Leadership Group Progression Based on Performance

The determination regarding pay progression must be made annually for all leaders to take effect from 1<sup>st</sup> September.

To move up the leadership pay range, progression will be based on an individual School Leaders performance. To be eligible for progression they must have completed a year of employment (defined as 26 weeks) since any previous progression.

School leaders will be considered by the Pay Committee for a pay increase of one reference point, if they have made continued acceptable progress towards meeting their objectives and are assessed as meeting the relevant Leadership Standards and their Job Description.

School leaders will be eligible for and would expect to receive a pay increase of one reference point if they meet their objectives and are assessed as meeting the relevant Leadership Standards as set out in the model Appraisal Policy, paragraph 5.3, and Job Description. Such an increase may be awarded where good progress has been made but where meeting objectives in full has been hindered by the Covid 19 pandemic.

This School will consider additional pay progression for exceptional performance by awarding an additional reference point or points.

It will be possible for a 'no progression' determination to be made without any recourse to the Capability Policy. If an individual had been subject to an action plan in year but has made the required improvement, then pay progression will continue as expected.

The Governing Body will refer to Departmental Advice [DfE - STPCD] when determining the available scope for pay progression within this School.

## **11.0 TEACHERS SALARY DETERMINATION**

The Pay Committee will determine the salary for individual teachers on appointment or promotion in accordance with the current STPCD, this Pay Policy and any advice sought.

As required by the STPCD the Pay Committee will also determine the salary of each teacher annually and ensure that the teachers are notified in writing of the outcome, including the details specified in the STPCD.

### **11.1 Teachers (UTR/MPR/UPR/LPPR) Pay Determination on Appointment**

The Governing Body will determine the pay range for a vacancy prior to advertising the post.

In making such determinations, the Governing Body may take into account a range of factors, including but not excluding:

- the nature and requirements of the post
- any specialist knowledge and skills required
- the demonstrable experience required to undertake the specific duties of the post
- market conditions
- scope for performance related progression over time
- the wider School context

When recruiting to a vacant or new post the Governing Body/ Headteacher will consider one of the following options:

*The Governing Body / Trust Body to delete two options as appropriate*

#### Option 1

The Governing Body / Trust Body will apply the principle of pay portability in making pay determinations for all new appointees.

#### Option 2

The Governing Body / Trust Body will consider applying the principle of pay portability in making pay determinations for all new appointees.

#### Option 3

The Governing Body / Trust Body will not apply the principle of pay portability in making pay determinations for all new appointees.

*NB Schools / Academy's should avoid discriminating against teachers returning to the profession following a career break whether they return to the same school / Academy or another school / Academy. Blanket policies against pay portability are likely to disadvantage women teachers who have taken a break from teaching to give birth and/or to care for their children.*

All Teaching appointments will be made with reference to the Department for Education's Guidance.

\*[Departure from any of the values set out in the section below will require union consultation at school level]

### 11.2 Pay Range for Unqualified Teachers (UTR)

The Pay Committee will use reference points. The pay range for Unqualified Teachers in this School is:

Minimum Reference Point 1	£18,419
Reference Point 2	£20,532
Reference Point 3	£22,644

Reference Point 4	£24,507
Reference Point 5	£26,622
Maximum Reference Point 6	£28,735

### 11.3 Main Pay Range for Qualified Teachers (MPR)

The Pay Committee will use reference points. The pay range for Qualified Teachers in this School is:

Minimum Reference Point 1	£25,714
Reference Point 2	£27,600
Reference Point 3	£29,664
Reference Point 4	£31,778
Reference Point 5	£34,100
Reference Point 6	£36,961

### 11.4 Upper Pay Range for Qualified Teachers - UPR

The Pay Committee will use reference points. The pay range for Post Threshold Teachers in this School / Academy is:

Minimum Point 1	£38,690
Reference Point 2	£40,124
Maximum Point 3	£41,604

### 11.5 Leading Practitioner Pay Ranges – LPPR

Where appointed, a Leading Practitioner will have the primary purpose of modelling and leading improvement of teaching skills. The challenge and demands of the individual post and internal pay relativities will be considered when setting a pay range.

The designated range is within a minimum of £42,402 (equivalent to LPPR1) and a maximum of £64,461 (equivalent to LPPR18).

Where applicable, the Leading Practitioner role(s) in this School is / are detailed below:

<b>Role</b>	<b>Leading Practitioner Pay Range (LPPR)</b>	<b>Reference Points within LPPR</b>
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Leading Practitioner for XXXXXXXX	£XXXXXX - £XXXXXX	e.g. £XXXXXX £XXXXXX £XXXXXX
Leading Practitioner for XXXXXXXX	£XXXXXX - £XXXXXX	e.g. £XXXXXX £XXXXXX £XXXXXX

### 11.6 Teachers (UTR/MPR/UPR/LPPR) Pay Progression Based on Performance

The determination regarding pay progression must be made annually for all teachers (including ECT's) to take effect from 1<sup>st</sup> September. To be eligible for progression they must have completed a year of employment (defined as 26 weeks) since any previous progression.

To move up the relevant pay range, progression will be based on an individual teacher's performance.

Teachers will be considered by the Governing Body for a pay increase of one reference point, if they have made continued acceptable progress towards meeting their objectives and are assessed as meeting the relevant Teachers' Standards and their Job Description.

Teachers will be eligible for and would expect to receive a pay increase of one reference point if they meet all their objectives and are assessed as fully meeting the relevant Teachers' Standards and Job Description.

This School will consider additional pay progression for exceptional performance by awarding an additional reference point or points.

Where a teacher is not eligible for pay progression e.g. UPR3 teacher this should be noted on their appraisal documentation.

In the case of early career teachers (ECTs), the relevant body must determine the teacher's performance and any pay recommendation by means of the Statutory Induction Process set out in the Education (Induction Arrangements for School Teachers) (England) Regulations 2012(8). The Relevant Body must also ensure that ECTs are not negatively affected by the extension of the induction period from one to two years. This change does not prevent a school from awarding pay progression to ECTs at the end of the first year.

It will be possible for a 'no progression' determination to be made without any recourse to the Capability Policy.

The Governing Body will refer to Departmental Advice [DfE - STPCD] when determining the available scope for pay progression within this School.

## **12.0 APPLICATION TO UPR**

Qualified Teachers can apply to be paid on the Upper Pay Range and any such application must be assessed in line with this policy. It is the responsibility of the Teacher to decide whether or not they wish to apply to be paid on the upper pay range.

A teacher may submit only one application in each academic year.

If a teacher is simultaneously employed at another School(s) / Academy (s), they may submit separate applications if they wish to apply to be paid on the UPR in that/those School(s)/ Academy(s). This School will not be bound by any pay decision made by another School or Academy.

All applications should include the results of appraisals, including any recommendation on pay. Where such information is not applicable or available, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent, it will be an evidence-based process only.

### **12.1 Process and Procedures**

*The Governing Body / Trust Body to complete dates*

The closing date for applications is normally 31<sup>st</sup> October each year. The application process is as follows:

The teacher should submit the written application together with any supporting evidence which they wish to provide to the Headteacher by the cut-off date of 31<sup>st</sup> October.

The Headteacher will assess the application and make a recommendation to the Pay Committee. At this stage the Headteacher should inform the teacher of their recommendation and provide the opportunity for the teacher to informally resolve any concerns as per section 15.1.

The Pay Committee will make the final decision, advised by the Headteacher.

Teachers will receive written notification of the outcome of their application. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this Policy, [which can also be provided verbally upon request].

Successful applicants will be informed where on the Upper Pay Range they will be placed with effect from 1st September of that year.



Unsuccessful applicants can submit a formal pay grievance (appeal) against the decision. This process is set out in Appendices 4 and 5 of this Policy.

## 12.2 The Assessment

The teacher will be required to meet the criteria set out in paragraph 15 the STPCD:

- the teacher is highly competent in all elements of the relevant standards
- the teacher's achievements and contribution to the School/Academy are substantial and sustained.

In this School, this means:

### **Highly Competent**

The teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the relevant Standards in the particular role they are fulfilling and the context in which they are working. (e.g. performance which is good enough to fulfill wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school, in order to help them meet the relevant standards and develop their teaching practice).

### **Substantial**

The teacher's achievements and contribution to the School are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to School improvement, which impacts on pupil progress and the effectiveness of staff and colleagues. (e.g. of real importance, validity or value to the School: plays a critical role in the life of the School: provide a role model for teaching and learning: makes a distinctive contribution to the raising of pupil standards: takes advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning).

### **Sustained**

The teacher must have had two consecutive successful appraisal reports in this School and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good.

In this School to progress through the Upper Pay Range teachers must be able to show 2 years of successful appraisals showing they meet the UPR criteria.

## **13.0 ALLOWANCES AND OTHER PAYMENTS**

Details of additional allowances and other payments to teaching staff are detailed below:

	<b>Allowances and Other Payments</b>
<p>Teaching &amp; Learning (TLR) Payments (Teachers only)  (subject to the pro rata principle with the exception of TLR Level 3 payments))</p>	<p>The Range for TLR Level 1 payments is £8,291 - £14,030</p> <p>Annual Values of TLR Level 1 payments in this School are:</p> <p>(a) (b) (c) (d)</p> <p>The Range for TLR Level 2 payments is £2,873 - £7,017</p> <p>Annual Values of TLR Level 2 payments in this School are:</p> <p>(a) (b) (c) (d)</p> <p>The Range for TLR Level 3 payments is £571 - £2,833</p> <p>The relevant body may award a fixed-term third TLR (TLR3) to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day. The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring, as set out above.</p> <p>The duration of the fixed-term must be established at the outset and payment should be made on a monthly basis for the duration of the fixed-term.</p>

	<p>Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or a TLR2 may also hold a concurrent TLR3.</p> <p>Where a TLR3 is awarded to a part-time teacher the value should not be amended to reflect the part-time hours of the individual in receipt of the award: the pro-rata principle does not apply to TLR3s.</p> <p>The decision to make a payment of a TLR 3 does not constitute a restructure and the payment is not subject to safeguarding upon cessation.</p>
Special Educational Needs (SEN) Allowance (Teachers only)	The Governing Body will award a SEN allowance of no less than £2,270 and no more than £4,479 per annum where the assigned duties of a teacher meet the criteria set out in Paragraph 21 of the STPCD. The value of the spot point will be determined in relation to the structure of the School's SEN provision and the relevant criterion.
Allowance Payable to Unqualified Teachers	<p>The Governing Body may pay an unqualified teachers' allowance to unqualified teachers where it considers, in the context of its staffing structure that the teacher has:</p> <p>(a) Taken on a sustained additional responsibility which is:</p> <ul style="list-style-type: none"> <li>(i) Focused on teaching and learning: and</li> <li>(ii) Requires the exercise of a teachers' Professional skills and judgement: or</li> </ul> <p>(b) Qualifications or experience which bring added value to the role being undertaken.</p>
Acting Allowance (Leadership Group)	<p>Where a teacher is assigned and carries out the duties of a Headteacher, Deputy Headteacher or Assistant Headteacher The Governing Body will, within 4 weeks of the commencement of such duties, determine whether or not an acting allowance is to be paid. This decision can be reviewed at any subsequent point in time.</p> <p>If a decision is made to award an acting allowance and a salary range has been determined for that Leadership post, then remuneration will be no less than the minimum of that range, otherwise remuneration will be reasonably determined by the Governing Body. For as long as an allowance is paid</p>

	to a teacher, then Part 7 of the STPCD applies, as if the teacher had been appointed to that post permanently.						
Acting Allowance (TLR)	In the case of a teacher acting up into a TLR position, the Governing Body will consider awarding appropriate remuneration for any period in excess of 4 weeks.						
Performance Payments to Seconded Teachers (Headteachers only)	<p>The Governing Body may pay a teacher a lump sum subject to Paragraph 10.4 and in accordance with Paragraph 24 of the STPCD, where a teacher is temporarily seconded to the post as Headteacher, in a school causing concern which is not the teachers normal place of work and it is considered that the teacher merits additional payment to reflect sustained high-quality performance throughout the secondment.</p> <p>The additional payment and annual salary paid to the teacher during secondment should not exceed 25% above the maximum of the Headteacher Group for the School to which the teacher is seconded without external advice.</p>						
Additional Payments (All teaching staff)	<p>In accordance with paragraph 26 of the STPCD and paragraphs 60-69 of the section three guidance, the Governing Body may make such payments as they see fit to a teacher, other than a Headteacher, in respect of:</p> <p><i>*Delete as appropriate</i></p> <p>Continuing professional development undertaken outside the School / Academy day:</p> <table border="1" data-bbox="528 1417 1289 1480"> <tr> <td>Amount per hour/month/term/annum*</td> <td>£</td> </tr> </table> <p>Activities relating to the provision of initial teacher training as part of the ordinary conduct of the School / Academy:</p> <table border="1" data-bbox="528 1644 1289 1706"> <tr> <td>Amount per hour/month/term/annum*</td> <td>£</td> </tr> </table> <p>Participation in out of school hours learning activity agreed between the teacher and the Headteacher.</p> <table border="1" data-bbox="528 1870 1289 1933"> <tr> <td>Amount per hour/month/term/annum*</td> <td>£</td> </tr> </table>	Amount per hour/month/term/annum*	£	Amount per hour/month/term/annum*	£	Amount per hour/month/term/annum*	£
Amount per hour/month/term/annum*	£						
Amount per hour/month/term/annum*	£						
Amount per hour/month/term/annum*	£						

	<p>Additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools / academies.</p> <table border="1"> <tr> <td>Amount per hour/month/term/annum*</td> <td>£</td> </tr> </table>	Amount per hour/month/term/annum*	£
Amount per hour/month/term/annum*	£		
<p>Recruitment &amp; Retention Incentives &amp; Benefits</p> <p>(Excludes the Leadership Group i.e. Headteacher, Deputy and Assistant Headteachers - other than as reimbursement of reasonably incurred housing or relocation cost)</p>	<p>The Governing Body may exercise its discretion with regards to making payments as it considers necessary as an incentive for the recruitment of new teachers and the retention of existing teachers in accordance with paragraph 27 of the STPCD and paragraphs 70-72 of the section three guidance.</p> <p>A recruitment allowance or benefit will be awarded where it is deemed necessary to attract a teacher. The length of time the allowance or benefit is payable will be determined at the point of recruitment.</p> <p>A retention allowance or benefit will be awarded where it is deemed necessary to retain an existing teacher. The review date, after which the allowance or benefit may be withdrawn, will be determined at the outset.</p> <p>Any award will be justified and documented.</p> <p>The Governing Body's position on such awards will be formally reviewed in line with the review and implementation of the School's Pay Policy annually.</p>		
Part Time Teachers	The salary and any allowances, except for TLR3's, will be determined in accordance with the pro rata principle, as detailed in Paragraph 40 of the STPCD.		
Short Notice Teachers	<p>An hourly rate is calculated on the following basis:</p> <p>Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of Paragraph 42 of the STPCD on a daily basis calculated on the assumption that a full working year consists of 195 days</p> <p>(194 days for the school year beginning in 2021), periods of employment for less than a day being calculated pro rata.</p>		
Car Mileage	<p>Car Mileage is paid to Teaching Staff under the Terms and Conditions of Burgundy Book, Appendix V, Paragraph 4.</p> <p>The current rate has been negotiated with teachers' organisations and is aligned to the current rate paid by the Local Authority. Any subsequent changes to the car mileage rate made by the Local Authority will automatically be</p>		

	<p>reflected in the Model Teachers Pay Policy. The current position is as follows:</p> <p><b>DUDLEY MBC NEW COLLECTIVE AGREEMENT MARCH 2017</b></p> <p><b>Reimbursement for car mileage – using own vehicle on an authorised basis for work purposes.</b> – In line with the Collective Agreement 2017, the Council's rate of reimbursement for all car mileage claims is/will be 45p per mile. This is in line with the HMRC designated rate as representing no profit element to the employee and hence is non-taxable.</p>
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#### **14.0 SALARY SAFEGUARDING**

This School will apply the provisions for salary safeguarding as set out in the STPCD.

#### **15.0 PAY GRIEVANCES (APPEALS)**

All teaching staff will receive an annual pay statement detailing the determination of their pay each year. The pay statement will advise staff of the decision of the Pay Committee in relation to any performance related pay outcome.

This Policy sets out the procedure that applies when a teacher is dissatisfied with a decision of the Pay Committee.

The following criteria may determine the grounds for appeal for any member of staff, however, this list is not exhaustive:

that the person or Committee by whom the decision was made:

- incorrectly applied the provisions of the STPCD
- incorrectly applied the provisions of this pay policy
- failed to have proper regard for statutory guidance
- failed to take proper account of relevant evidence
- took account of irrelevant or inaccurate evidence
- was biased
- otherwise unlawfully discriminated against the teacher

#### **15.1 Informal Resolution**

*NB –this informal stage may be triggered upon receipt of the appraisal review statement issued by the appraiser, which contains the recommendation on pay progression or the recommendation made by the Headteacher regarding Upper Pay Range progression.*

Initially, the teacher must seek to resolve the issue informally with the appraiser / Headteacher within 5 working days of receipt of the appraisal review statement. It is imperative that the informal process is completed in a timely manner to allow the teacher to submit a formal grievance, if necessary, within 10 working days of receipt of the salary review statement.

## 15.2 Formal Process

*NB – the formal stage may be triggered upon receipt of the pay statement issued by the Pay Committee, which contains the decision on pay progression.*

The teacher has the right to be accompanied by a fellow worker, a current Trade Union Representative or an official employed by a Trade Union at all formal stages of this process. If the companion cannot attend on a proposed date, the teacher can suggest an alternative time and date so long as it is reasonable and it is not more than 5 working days after the original date. The time limits within the formal stages of this Policy may be extended by mutual agreement of all parties.

## 15.3 Stage 1 Grievance Hearing

If it is not possible to resolve the pay grievance informally or the teacher continues to be dissatisfied, the teacher should raise the matter formally and without unreasonable delay, within 10 working days of the receipt of the pay statement. This should be done in writing to the Pay Committee and should set out the grounds of the grievance and the remedies sought. Receipt of the grievance should be acknowledged in writing within 5 working days.

The teacher will be offered a hearing normally within 10 working days and will be heard by a Committee of the Governing Body. The constitution of the Committees can be found in Appendix 4. The Pay Committee should arrange for a formal meeting to be held during which the employee has an opportunity to explain their pay grievance and how they think it could be resolved. This meeting should be arranged without undue delay. The Committee should ensure they seek suitable advice prior to and/or at the Hearing, this may be from YourHR/other provider.

Any documents to be used by either side at the hearing will be made available to all involved not less than 3 full working days before the date of the hearing. Ideally this should take the form of an agreed bundle of documents.

The hearing will be held in accordance with normal Schools procedures for hearings as set out in Appendix 5 of this document.

The employee should receive a written response from the Chair of the Pay Committee within 5 working days of the outcome of the grievance hearing. Every effort should be made to keep within this timescale however if more time is required the employee should be notified of the reason for the delay and given a likely and realistic date for completion.

The Pay Committee will be responsible for ensuring that any actions arising from the Stage 1 Pay Grievance are carried out.

#### **15.4 Stage 2 Appeal Hearing**

If it is not possible to resolve the pay grievance at Stage 1, the teacher should raise an appeal formally in writing within 10 working days of receipt of the outcome of the Stage 1 Grievance. This should be done in writing to the Appeals Committee and should set out the nature of the appeal. The written appeal must re-affirm the grounds of the appeal and the remedies sought.

The teacher will be offered an appeal hearing normally within 10 working days and will be heard by the Appeals Committee of the Governing Body. The Committee should ensure they seek suitable advice prior to and/or at the Hearing, this may be from YourHR.

The Appeals Committee should arrange for a formal meeting to be held during which the employee has an opportunity to explain their appeal and how they think it could be resolved.

Any documents to be used by either side at the hearing will be made available to all involved not less than 3 full working days before the date of the hearing. Ideally this should take the form of an agreed bundle of documents.

The appeal will be held in accordance with normal School procedures for hearings as set out in Appendix 6 of this document.

The employee should receive a written response from the Chair of the Appeals Committee within 5 working days of receipt of the outcome of the appeal hearing. Every effort should be made to keep within this timescale however if more time is required the employee should be notified of the reason for the delay and given a likely and realistic date for completion.

The decision of the Appeals Committee is final. There is no further right of appeal within this Policy, and neither can a separate grievance be raised under the Schools Grievance procedure.

#### **16.0 GUIDANCE**

Useful supporting guidance and links to information regarding this policy and its interpretation are available at:

- YourHR – contact the School / Academy nominated officer,
- Revolution Website, and:
- [www.gov.uk](http://www.gov.uk).

#### **17.0 MONITORING & REVIEW**



This Policy will be monitored and reviewed by the Governing Body on an annual basis in line with the STPCD.

In addition, this Policy will need to be reviewed within the School if the Schools status changes to reflect employer responsibility (for example trusts/federations/academies/multi academy trusts).

## **APPENDICES**

Appendix 1	All Teachers' Pay Ranges
Appendix 2	Leadership Groups and Associated Pay Ranges
Appendix 3	Extract of STPCD, Paragraphs 9 & 10
Appendix 4	Constitution of Appropriate Committees
Appendix 5	Pay Grievance Procedure - Stage 1
Appendix 6	Pay Appeal Procedure – Stage 2
Appendix 7	UPR application process

ENGLAND excluding Inner and Outer London and the Fringe Area

Appendix 1

		September 2019 Annual Salary	September 2020 Annual Salary	September 2021 Annual Salary
<b>UNQUALIFIED TEACHER PAY RANGE</b>				
1	scp 1	17,682	18,169	18,419
2	scp 2	19,739	20,282	20,532
3	scp 3	21,794	22,394	22,644
4	scp 4	23,851	24,507	24,507
5	scp 5	25,909	26,622	26,622
6	scp 6	27,965	28,735	28,735
<b>MAIN PAY RANGE</b>				
1	scp 1	24,373	25,714	25,714
2	scp 2	26,298	27,600	27,600
3	scp 3	28,413	29,664	29,664
4	scp 4	30,599	31,778	31,778
5	scp 5	33,010	34,100	34,100
6	scp 6	35,619	36,961	36,961
6+	scp 6 (+2)	35,971		
<b>UPPER PAY RANGE</b>				
1	scp 1	37,654	38,690	38,690
2	scp 2	39,050	40,124	40,124
3	scp 3	40,490	41,604	41,604
<b>SPECIAL EDUCATIONAL NEEDS ALLOWANCE</b>				
SEN 1	Minimum	2,209	2,270	2,270
SEN 2	Maximum	4,359	4,479	4,479

		September 2019 Annual Salary	September 2020 Annual Salary	September 2021 Annual Salary
<b>TLR PAYMENTS</b>				
TLR 1	Minimum	8,069	8,291	8,291

TLR 1	Maximum	13,654	14,030	14,030
TLR 2	Minimum	2796	2,873	2,873
TLR 2	Maximum	6,829	7,017	7,017
TLR 3	Minimum	555	571	571
TLR 3	Maximum	2,757	2,833	2,833

**ENGLAND** excluding Inner and Outer London and the Fringe Area

		September 2019 Annual Salary	September 2020 Annual Salary	September 2021 Annual Salary
<b>LEADING PRACTITIONER</b>				
L1		41,267	42,402	42,402
L2		42,299	43,463	43,463
L3		43,356	44,549	44,549
L4		44,437	45,660	45,660
L5		45,542	46,795	46,795
L6		46,685	47,969	47,969
L7		47,941	49,260	49,260
L8		49,048	50,397	50,397
L9		49,224	50,599	50,599
L10		51,563	52,981	52,981
L11		52,902	54,357	54,357
L12		54,122	55,611	55,611
		September 2019 Annual Salary	September 2020 Annual Salary	September 2021 Annual Salary
L13		55,474	57,000	57,000
L14		56,857	58,421	58,421
L15		58,273	59,876	59,876
L16		59,821	61,467	61,467
L17		61,196	62,879	62,879
L18		62,735	64,461	64,461
<b>LEADERSHIP GROUP SCALE</b>				

L1		41,065	42,195	42,195
L2		42,093	43,251	43,251
L3		43,144	44,331	44,331
L4		44,218	45,434	45,434
L5		45,319	46,566	46,566
L6		46,457	47,735	47,735
L7		47,707	49,019	49,019
L8		48,808	50,151	50,151
L9		50,026	51,402	51,402
L10		51,311	52,723	52,723
L11		52,643	54,091	54,091
L12		53,856	55,338	55,338
L13		55,202	56,721	56,721
L14		56,579	58,135	58,135
L15		57,986	59,581	59,581
L16		59,528	61,166	61,166
L17		60,895	62,570	62,570
L18*		61,808	63,508	63,508
L18		62,426	64,143	64,143
L19		63,975	65,735	65,735
L20		65,561	67,364	67,364
L21*		66,517	68,347	68,347
L21		67,183	69,031	69,031
		<b>September 2019</b>	<b>September 2020</b>	<b>September 2021</b>
		<b>Annual Salary</b>	<b>Annual Salary</b>	<b>Annual Salary</b>
L22		68,851	70,745	70,745
L23		70,556	72,497	72,497
L24*		71,590	73,559	73,559
L24		72,306	74,295	74,295
L25		74,103	76,141	76,141
L26		75,936	78,025	78,025
L27*		77,048	79,167	79,167
L27		77,818	79,958	79,958
L28		79,748	81,942	81,942
L29		81,723	83,971	83,971
L30		83,757	86,061	86,061

L31*		84,976	87,313	87,313
L31		85,826	88,187	88,187
L32		87,960	90,379	90,379
L33		90,145	92,624	92,624
L34		92,373	94,914	94,914
L35*		93,732	96,310	96,310
L35		94,669	97,273	97,273
L36		97,013	99,681	99,681
L37		99,424	102,159	102,159
L38		101,885	104,687	104,687
L39*		103,334	106,176	106,176
L39		104,368	107,239	107,239
L40		106,972	109,914	109,914
L41		109,644	112,660	112,660
L42		112,392	115,483	115,483
L43*		114,060	117,197	117,197

The points marked with an \* (18\*, 21\*, 24\*, 27\*, 31\*, 35, 39\*, 43\*) on the leadership pay range are the salary figures for headteachers at or moving to the top of the school group ranges only. These apply unless the relevant body has chosen to exercise its discretion to pay a higher salary in accordance with paragraph 9 section 2 of STPCD.

## Appendix 2 Leadership Groups & Associated Pay Ranges

<b>Pay Ranges for Headteacher's 2021</b>				
<b>Group</b>	<b>Annual Pay Range</b>			
	<b>England (excluding the London Area)</b>	<b>Inner London Area</b>	<b>Outer London Area</b>	<b>Fringe Area</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
1	47,735 – 63,508	55,715 – 71,411	51,082 – 66,827	48,901 – 64,663
2	50,151 – 68,347	58,132 – 76,249	53,499 – 71,666	51,314 – 69,509
3	54,091 – 73,559	62,066 – 81,461	57,436 – 76,874	55,254 – 74,718
4	58,135 – 79,167	66,144 – 87,062	61,479 – 82,480	59,302 – 80,320
5	64,143 – 87,313	72,125 – 95,216	67,496 – 90,632	65,310 – 88,472
6	69,031 – 96,310	77,011 – 104,211	72,383 – 99,624	70,204 – 97,468
7	74,295 – 106,176	82,277 – 114,074	77,643 – 109,489	75,466 – 107,328
8	81,942 – 117,197	89,919 – 125,098	85,290 – 120,513	83,105 – 118,356

The School Teachers Pay and Conditions Document sets out the above pay ranges for head teachers' pay for each of the eight school groups. These apply unless the Governing Body / Trust Body exercises its discretion to exceed these limits.

Headteachers who were at the maximum of their individual pay ranges in 2015 and whose pay point coincided with the maximum of the relevant school / academy group range may have had their pay frozen. Where this is the case, the maximum point of their individual pay range from September 2021, assuming no other adjustments are being made, will be as set out above.

Extract of STPCD 2021, Paragraph's 9 & 10 -

Determination of leadership pay ranges:

- 9.1 The Relevant Body must determine pay ranges for the Headteacher and for Deputy Headteacher's and Assistant Headteacher's in accordance with paragraphs 9.2 to 9.4.
- 9.2 When determining an appropriate pay range, the Relevant Body must take into account all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations. In the case of a new appointment, the Relevant Body may wish to consider whether the requirements of the post and the extent to which the preferred candidate meets those requirements are such that it would be appropriate to set the starting salary above the minimum of the relevant Headteacher Group. The Relevant Body must ensure that there is appropriate scope within the range to allow for performance related progress over time.
- 9.3 Pay ranges for Headteachers should not normally exceed the maximum of the Headteacher Group. However, the Headteachers' pay range may exceed the maximum where the Relevant Body determines that circumstances specific to the role or candidate warrant a higher than normal payment. The Relevant Body must ensure that the maximum of the Headteachers' pay range and any additional payments made under paragraph 10 does not exceed the maximum of the Headteacher Group by more than 25% other than in exceptional circumstances: in such circumstances, the Council will seek external independent advice before providing such agreement and support its decision with a business case.
- 9.4 The maximum of the Deputy or Assistant Headteachers' pay range must not exceed the maximum of the Headteacher Group for the school, calculated in accordance with paragraphs 6 to 8. The pay range for a Deputy or Assistant Headteacher should only overlap the Headteachers' pay range in exceptional circumstances.

Determination of temporary payments to Headteachers:

- 10.1 Subject to paragraph 10.2 to 10.4, the Relevant Body may determine that payments be made to a Headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. In each case the Relevant Body must not have previously taken such reason or circumstance into account when determining the Headteacher's pay range.



- 10.2 Subject to paragraph 10.3, the total sum of the temporary payments made to a Headteacher in accordance with paragraph 10.1 in any school year must not exceed 25% of the annual salary which is otherwise payable to the Headteacher, and the total sum of salary and other payments made to a Headteacher must not exceed 25% above the maximum of the Headteacher Group, except as set out in paragraph 10.4.
- 10.3 Paragraph 10.2 does not apply to additional payments made in accordance with:
- (a) paragraph 25 where those residential duties are a requirement of the post: or
  - (b) paragraph 27 to the extent that the payment is in respect of housing or relocation expenses which relate solely to the personal circumstances of that Headteacher.
- 10.4 The Relevant Body may determine that additional payments be made to a Headteacher which exceed the limit set out in paragraph 10.2 in wholly exceptional circumstances and with the agreement of the Governing Body. The Governing Body must seek external independent advice before producing a business case, seeking such agreement.

### Constitution of Appropriate Committees

- 1.0 Establishment of Pay Committee and Pay Appeals Committees
  - 1.1 It is recommended that Committee Members are established at the first full Governing Body Meeting of the Academic Year. When selecting membership for Committees the principles of natural justice must be seen to be applied.
  - 1.2 Governors should establish a Pay Committee and a Pay Appeals Committee.
  - 1.3 A Committee shall normally include not less than three members of the Governing Body. Where a Committee is established to take a decision regarding the pay of School staff, no member of that Committee shall take part in the proceedings of the Committee established to consider any Appeal against that decision. The membership of the Appeal Committee shall include no fewer members of the Governing Body than that of the Staff Pay Committee.
  - 1.4 It is recommended that Staff Governors do not form part of either the Pay Committee or the Pay Appeals Committee. All other Governors should register a potential conflict of interest at the stage in which the Committee is convened. This is to demonstrate that any decision made is fair, independent and non-prejudiced. Any Governor who has been involved in the particular action taken, or who is in any material way an interested party shall not participate as a Governor in the proceedings.

### Order of Proceedings for the Pay Grievance (Appeal) – Stage 1

#### 1.0 Preliminary Matters

The Chair of the Committee shall be taken by the Chair or Vice Chair of Governors, unless they are not a member of the Committee, or they are absent when the meeting begins, in which case those present shall elect from amongst their number, a person to take the Chair at the meeting during such absence. The Chair or Vice Chair cannot be an employee of the School.

It is recommended that staff Governors do not form part of The Pay Committee or the Appeals Committee. All other Governors should register a potential conflict of interest at the stage in which the Committee is convened. This is to demonstrate that any decision made is fair, independent and non-prejudiced. Any Governor who has been involved in the particular action taken, or who is in any material way an interested party shall not participate as a Governor in the proceedings.

The Chairperson of the Pay Committee has the right to seek advice during the meeting on matters of procedure and law. The adviser (s) must be appropriate. The adviser (s) is/are there to offer advice and not to vote in the decision making process.

The hearing shall take place in private session and all parties shall be reminded that proceedings are confidential.

The employee shall have the right to be accompanied by a companion, who may be a fellow worker, a current Trade Union Representative, or an official employed by a Trade Union. It is the employee's responsibility to arrange to be accompanied. The employee's representative can address the Panel and confer with and advise the employee, however, the representative must not answer questions on the employee's behalf.

The Presenting Officer will have the right to be accompanied by a representative from YourHR. This representative can address the Panel, ask questions and confer with and advise the Presenting Officer.

It should be established whether any adjustments are required to the usual facilities arrangements.

Facilities shall be provided for each side to meet separately. A private waiting room will be provided for the employee and their representatives and their witnesses.

The Headteacher will normally present the case to Governors . However, in exceptional circumstances they may delegate the presentation of the case to another officer within the School. The Headteacher should make this recommendation to the Chair of the Panel at the beginning of any hearing. It is the Chair of the Panel that will grant this request.

There may be occasions where either party request an observer. In these circumstances, the employee, their representative and the Presenting Officer should agree in principle to the observer. The formal request will be made to the Chair of the Panel to approve the request prior to the hearing commencing.

The Clerk to the Governors shall confirm that the body is correctly constituted and that the preliminary matters, as above, have been carried out.

The Chair shall, at the commencement of the meeting, set out the procedure as set out below.

## 2.0 Opening remarks by the Chair of the Panel

The parties to the matter, with their representatives, should be invited into the Hearing.

- Introduce those present, or ask each individual to introduce themselves:
- Advise that an adjournment may be requested at any time during the Hearing:
- Outline the procedure to be followed:
- Outline the reason(s) for calling the hearing.

## 3.0 Order of Proceedings

### 3.1 Pay Grievance

- 3.1.1 The employee and/or representative will present their case calling such witnesses as may be necessary. Written evidence may be read out, subject to the agreement of the Panel.
- 3.1.2 The Headteacher (or designated officer)/HR Officer may ask questions of the employee, witnesses and, where the employee's representative gives evidence, of the employee's representative.
- 3.1.3 The employee and/or representative may re-examine the witnesses.
- 3.1.4 The Headteacher (or designated officer)/HR Officer will present their case calling such witnesses as may be necessary. Written evidence may be read out, subject to the agreement of the Panel.
- 3.1.5 The employee and/or representative may ask questions of the witnesses and, where the Headteacher (or designated officer) gives evidence of the Headteacher (or designated officer).
- 3.1.6 The Headteacher (or designated officer)/HR Officer may re-examine the witnesses.
- 3.1.7 Members of the Panel may ask questions at any time but will seek to confine questioning until immediately prior to their re-examination
- 3.1.8 The employee or representative will sum up the case.
- 3.1.9 The Headteacher (or designated officer)/HR Officer will sum up the case.
- 3.1.10 The Chair of the Panel may recall witnesses or call for further evidence on specific points but if it becomes necessary to act in this way both parties must be recalled.
- 3.1.11 Witnesses shall only be present whilst giving evidence.

At the conclusion of the meeting the parties and any other persons present, with the exception of the Clerk and the Advisors to the Panel shall withdraw whilst the Panel deliberates.

In cases where a decision is able to be reached, the Chair of the Panel will deliver the decision and will advise the employee of their right of appeal and they should they exercise their right of appeal they should do so by stating the grounds for Appeal, in writing. The Chair of the Panel should indicate who the Appeal must be addressed to and that any Appeal should be lodged within 10 working days of receipt of the written confirmation of the decision.

The meeting will be confirmed in writing which must be sent to the employee within 5 working days of the meeting decision by the Chair of the Panel.

## Appendix 6

### Order of Proceedings for the Appeal Committee – Stage 2

#### 1.0 Preliminary Matters

Where the Appeal is against a decision regarding pay made by the Pay Committee the Appeal will be heard by the Staff Appeals Committee referred to for the purpose of this procedure as the 'Appeals Committee'. This Committee has the power to confirm or vary any such previous decision, taking into account advice relevant advisors at their meeting. Their decision is final.

The Appeals Committee will usually consider the Appeal based on the original case presented.

The Chair of the Panel shall be taken by the Chair or Vice Chair of Governors / Directors, unless they are not a member of the Committee, or they are absent when the meeting begins, in which case those present shall elect from amongst their number, a person to take the Chair at the meeting during such absence. The Chair or Vice Chair cannot be an employee of the School / Academy.

It is recommended that staff Governors do not form part of The Pay Committee or the Appeals Committee. All other Governors should register a potential conflict of interest at the stage in which the Committee is convened. This is to demonstrate that any decision made is fair, independent and non-prejudiced. Any Governor who has been involved in the particular action taken, or who is in any material way an interested party shall not participate as a Governor in the proceedings.

The Chairperson of the Pay Committee has the right to seek advice during the meeting on matters of procedure and law. The adviser (s) must be appropriate. The adviser (s) is/are there to offer advice and not to vote in the decision making process.

The hearing shall take place in private session and all parties shall be reminded that proceedings are confidential.

The employee shall have the right to be accompanied by a companion, who may be a fellow worker, a trade union representative, or an official employed by a trade union. It is the employee's responsibility to arrange to be accompanied. The employee's representative can address the Panel and confer with and advise the employee, however, the representative must not answer questions on the employee's behalf.

The Presenting Officer will have the right to be accompanied by a representative from YourHR. This representative can address the Panel, ask questions and confer with and advise the Presenting Officer.

It should be established whether any adjustments are required to the usual facilities arrangements.

Facilities shall be provided for each side to meet separately. A private waiting room will be provided for the employee and their representatives and their witnesses.

There may be occasions where either party request an observer. In these circumstances, the employee, their representative and the Presenting Officer should agree in principle to the observer. The formal request will be made to the Chair of the Panel to approve the request prior to the hearing commencing.

The Clerk to the Governors shall confirm that the body is correctly constituted and that the preliminary matters, as above, have been carried out.

The Chair shall, at the commencement of the meeting, set out the procedure as set out below.

## 2.0 Opening remarks by the Chair of the Panel

The parties to the matter, with their representatives, should be invited into the Hearing.

- Introduce those present, or ask each individual to introduce themselves:
- Advise that an adjournment may be requested at any time during the Hearing:
- Outline the procedure to be followed:
- Outline the reason(s) for calling the hearing.

## 3.0 Order of Proceedings



### 3.1 Pay Grievance Appeal Hearing

- 3.1.1 The employee (Appellant) and/or representative will present the grounds for the Appeal and will call such witness as may be necessary.
- 3.1.2 The Presenting Officer/HR Officer may ask questions of the employee and of any witness called.
- 3.1.3 The appellant and/or representative may re-examine the witnesses.
- 3.1.4 The Presenting Officer/HR Officer will present their response to the appellant calling witnesses as necessary.
- 3.1.5 The appellant and/or representative may ask questions of the Presenting Officer/HR Officer and of any witness called.
- 3.1.6 The Presenting Officer/HR Officer may re-examine the witnesses.
- 3.1.7 Members of the Panel may ask questions of the parties or witnesses at any stage but will seek to confine questioning until immediately prior to their re-examination.
- 3.1.8 The Appellant or representative will sum up the case.
- 3.1.9 The Presenting Officer/HR Officer will sum up the case.
- 3.1.10 The Chair of the Panel may recall witnesses or call for further evidence on specific points but if it becomes necessary to act in this way both parties must be recalled.
- 3.1.11 Witnesses shall only be present whilst giving evidence.

At the conclusion of the meeting the parties and any other persons present, with the exception of the Clerk and the Advisors to the Panel shall withdraw whilst the Panel deliberates.

In cases where a decision is able to be reached, the Chair of the Panel will deliver the decision and will advise the employee of the outcome of their appeal. There is no further right of appeal.

The meeting will be confirmed in writing which must be sent to the employee within 5 working days of the meeting decision by the Chair of the Panel.



## DOCUMENT ADMINISTRATION

<b>Name of Document</b>	TEACHERS PAY POLICY & PROCEDURE – VOLUNTARY AIDED, FOUNDATION & ACADEMIES
<b>Applicable to</b>	Services provided to schools by Your   HR Support for Schools St James's C.E Primary School
<b>Version number</b>	V1
<b>Document Number</b>	TSHR TPTvaf-1021 v1
<b>Status of Document</b>	Your   HR Support for Schools DRAFT
<b>With effect from Date</b>	[May 2022]
<b>Template provided by</b>	Your   HR Support for Schools
<b>Date of Review</b>	[May 2023]
<b>Applies to: (Tick School type)</b>	<input type="checkbox"/> All (services provided by Your   HR Advisory for Schools, DMBC) <input type="checkbox"/> Voluntary Controlled <input type="checkbox"/> Community <input checked="" type="checkbox"/> Voluntary Aided  <input type="checkbox"/> Academies <input type="checkbox"/> Maintained <input type="checkbox"/> Pupil referral units <input type="checkbox"/> Foundation
<b>Contact</b>	Mrs Natalie Sefton Headteacher

<b>Amendment and summary of changes with revised document number</b>	<b>Date</b>	<b>Amended by</b>

## APPROVAL

Amendment/changes Approved by:	Approval Date	Name of Approving Chair
[insert name of panel/full Governing board]	[date]	[name]

## CONSULTATION

The following organisations have been consulted on this document:

### Trade union (*tick all that apply*)

- NASUWT
- NEU
- ASCL
- NAHT
- GMB
- UNISON

## COLLECTIVE AGREEMENTS

This document should be read in conjunction with the relevant collective agreements.

- **For teaching staff** - Conditions of Service for School Teachers in England and Wales (Burgundy Book)

In the event there is a conflict between the conditions sets out in the relevant collective agreement and this document, the relevant collective agreement shall prevail. In the absence of a defined procedure/process within the relevant collective agreements relating to the conditions of service on the specific matter, every effort shall be made to adhere to industry best practice principles (e.g. ACAS guidance and/or any updated and new statutory guidance issued by the Department of Education “DFE”).

Appendix 7

**Appendix 1: Upper Pay Range Application Form**

Eligibility Criteria

*In order to be assessed you must be a qualified teacher at the top of the main pay range and need to be able to evidence that you are:*

- 1. highly competent in all elements of the relevant standards; and*
- 2. that your achievements and contribution to the school have been substantial and sustained.*

*Also see the Schools' Pay Policy, Appendix 7: Upper Pay Range Progression Criteria*

**Teacher's Details**

Name: \_\_\_\_\_

Post: \_\_\_\_\_

**Appraisal Details:**

Years covered by review statements \_\_\_\_\_

Schools covered by review statements \_\_\_\_\_

Please provide an explanation why, in your judgement, your achievements and contribution to the school has been substantial and sustained.

**Declaration:**

I confirm that at the date of this request for assessment to be paid on the Upper Pay Range I meet the eligibility criteria and I submit appraisal review statements covering the relevant period.

Teacher's signature \_\_\_\_\_ Date \_\_\_\_\_

## APPLICATION PROCESS TO MOVE TO UPPER PAY RANGE

A Qualified Teacher (M6) decides to apply to be paid on the Upper Pay Range

Teacher submits application form to their Headteacher. Application should include two most recent appraisal reviews, including any recommendations on pay, as well as evidence designed to demonstrate that they meet the assessment criteria.

The cut off date for applications is 31 October – in line with the appraisal cycle. Applications may be made once per year.

The assessment is made by the Headteacher within 10 working days of the conclusion of the appraisal process.

Assessment: -

The teacher will be required to meet the criteria set out in the policy, namely;

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

The Headteacher will pass the pay recommendation to the Committee.

In making its decision the Committee will have regard to the two most recent appraisal reviews and the evidence supporting the application.

Where the Committee is satisfied that the teacher has successfully met the criteria they will progress the teacher to the Upper Pay Range

If successful:-

The teacher will be placed on the minimum point of the Upper Pay Range from 1 September as follows:

Application based on appraisal reviews for year 1 (e.g. academic year 2012/13 on M5) and year 2 (e.g. academic year 2013/14 on M6) if successful progression to UPR1 with effect from 1 September year 3 (e.g. 1 September 2014)

If unsuccessful: -

Feedback will be provided by the Headteacher with 10 working days of the decision of the Committee.

The teacher can appeal the decision, as per the appeals process, Appendix 3 of this Pay Policy.

## **Appeals**

At the appeal the teacher will be entitled to be represented by a work colleague or trade union representative.

To exercise the right to appeal the teacher must set down in writing the grounds for questioning the pay decision and send it to the Clerk to Governors, within 3 days of receiving the decision from the formal hearing.

The purpose of the appeal is not to reconsider the whole case, only the aspects which are identified as the grounds for the appeal.

In normal circumstances the appeal shall be heard within 20 working days of receipt of the teacher's written appeal notification.

The appeal will be heard by the Appeals Committee. No person involved in the previous discussions or making the decision at the formal hearing shall be involved in the Appeal Committee.

Both parties (the teacher and decision maker from the formal hearing) will have an opportunity to explain their case. They must have the opportunity to make representation in person.

Following the appeal the decision must be confirmed in writing, including the reasons for reaching the decision. The Appeals Committee's decision is final; there is no recourse to the grievance procedure.

### **Records**

In order that comprehensive records are maintained, copies of all notes/minutes and correspondence arising out of the operation of this procedure shall be retained on the employee's personal file.

Notes and minutes of all proceedings to be kept together with the outcome of all decisions.

### **Procedure for the Appeals Panel**

The Appeals Committee shall hear the case in accordance with the following procedure:

- i. The teacher (or his/her representative) shall put his/her case in the presence of the Chair of the Committee\*.
- ii. The Chair of the Committee, which heard the formal hearing, shall have the opportunity to ask questions of the teacher (or representative).
- iii. The Appeals Panel shall have the opportunity to ask questions of the teacher (or representative).

- iv. The Chair of the Committee which heard the formal hearing shall put the case in the presence of the teacher and his/her representative.
- v. The teacher (or his/her representative) shall have the opportunity to ask questions of the Chair of the Committee.
- vi. The Appeals Panel shall have the opportunity to ask questions of the Chair of the Committee.
- vii. The Chair of the Committee and the teacher (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
- viii. The Chair of the Committee and the teacher and his/her representative shall withdraw.
- ix. The Appeals Panel, with the Clerk to the Governors present, shall deliberate in private only recalling the Headteacher and the teacher (and his/her representative) to clear points of uncertainty on evidence already given. If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- x. The Appeals Panel shall announce the decision to the Headteacher and the teacher (and his/her representative) personally.
- xi. The decision of the Appeals Committee shall be notified in writing to the teacher by the Clerk to the Governors and a copy of the letter shall be retained on the teacher's personal file. If the Appeal is rejected reasons for this decision must be included in the letter. There shall be no further right of appeal under this procedure.

*\*If the appellant is the Headteacher then where it refers to teacher above it will be the Headteacher.*