



# Teachers' Pay Policy

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<b>Trustees:-</b>	<b>HR Committee</b>
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### 1. Aims

This policy aims to:

- Clearly explain how we will determine teachers' pay and clearly explain how decisions will be made, based on the teacher's performance
- Set out a clear framework for pay and progression throughout the school

Adopting this policy will:

- Support the recruitment and retention of high quality teachers
- Enable us to recognise and reward teachers for their contribution to our academies
- Ensure that pay decisions are made in a fair and transparent way

This policy has been consulted on by staff and relevant trade unions.

### 2. Legislation and guidance

As a Trust, we are free to determine our own approach to deciding teachers' pay. However, since most of our staff have a contract that specifically incorporates conditions from the School Teachers Pay and Conditions Document (STPCD), these will continue to apply due to the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006, which protect employees' terms and conditions when a maintained school becomes an academy.

As such, this policy complies with the STPCD. It is also based on the model pay policy created by the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

When implementing our pay policy, we will abide by:

- The Employment Relations Act 1999, which establishes a number of statutory work rights
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, which require us to ensure part-time and fixed-term workers are treated fairly
- The Equality Act 2010 which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- The principles of public life which require those conducting the procedures to be objective, open and accountable

Our procedures for addressing grievances in relation to pay are based on the Acas grievance code of practice and are set out within individual school grievance policies.

### 3. Definitions

- **Teacher** includes all staff appointed to teach at the school. This includes the leadership team and the Headteacher (HT)/Head of School (HoS) unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's and lead practitioners salary will be set
- **Leadership group** comprises the HT/HoS, deputy headteacher and assistant headteacher

### 4. Roles and responsibilities

Line managers will make recommendations on a teacher's pay following the teacher's appraisal.

All decisions are subject to the Trust's Scheme of Delegation (SoD)

In the case of Teachers and SLT members, the responsibility for making pay decisions is delegated to the Headteacher/Head of School (HT/HoS) and ratified by the Local Governing Body (LGB).

In the case of HT/HoS, central Trust staff and the CEO, decisions are delegated to the Resources Committee of the Board of Trustees.

### 5. How we will decide pay on appointment

The LGB/Trustees 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. This decision will be delegated to the HT/HoS

To determine the salary, the governing board or Trust Board will take into account a range of factors, including:

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions
- The wider school context
- Absence due to maternity leave or disability will be taken into account

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

### 6. How we will decide on pay progression

#### 6.1 Annual reviews

The governing board will ensure that each teacher's salary is reviewed annually between 1 September and 31 October, in alignment with our annual appraisal period.

Pay progression will be decided based on their performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the Governing Board or Trust Board will take into account:

- The performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period. Our appraisal arrangements, including what evidence will support judgements, are set out in full in our appraisal policy
- The pay recommendation made in the teacher's appraisal report
- Advice from the senior leadership team
- Any changes to the responsibilities and expectations of the teacher's role
- The wider school context.
- Job Description

When deciding pay progression based on performance, we will:

Assess against Performance Management or Appraisal targets. These may include the use of pupil or student outcomes data. Job Description, key performance indicators within appropriate plans, for example: Department Improvement and Development Plans (DIP), School Improvement and Development Plans (SIDP) and Clarion Improvement and Development Plans (DIDP). Pay is linked to the individuals' performance over the year, not that of the School or Trust. Pay progression will be incremental by one point.

The decision can be 'no pay progression' without triggering the capability policy. Staff should be made aware during the mid-term review if this is a possibility.

## **6.2 Mid-year reviews**

Reviews may take place at other times of the year if an individual's role or job description changes. Changes include going part-time and taking on or removing additional roles and responsibilities.

A written statement will be given after any review and will give information about why it was made.

## **7. Moving to the Upper Pay Range**

### **7.1 Making applications**

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy.

Applications can be made every two years. Applications can be submitted in writing by the 31<sup>st</sup> October in any year. Subsequent movement through UPS is not automatic, and written applications to progress through UPS can be made every two years.

Applications will be submitted in writing to the appropriate line manager and will be reviewed by line managers and a senior leader. All applications will be treated fairly and impartially.

When submitting an application, please include:

- Results of appraisals under the 2012 regulations, including recommendations on pay
- Where this information is not applicable or available, a statement and summary of evidence to demonstrate that you have met the assessment criteria
- Details of how you make a sustained and significant contribution to the school over and above your core role, examples below.

### **7.2 Assessment**

In order to be eligible to be paid on the upper pay range, the reviewer and then governing board must be satisfied that:

- The teacher is highly competent in all elements of the Teachers' Standards and job description; and
- The teacher's achievements and contributions are substantial and sustained

For the purpose of this policy:

- **'Highly competent'** means:  
Performance which is good enough to provide coaching, mentoring and advice to other teachers, 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
- **'Substantial'** means:  
The teacher's contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; 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:

The teacher's contributions have been maintained and will continue to be maintained over a long period

### **7.3 The decision**

The assessment will be made and the applicant notified within two weeks

The recommendation to the LGB for progression will be made by the HT/HoS who will also determine where the teacher will be placed on the upper pay range. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move to the upper pay range from the start of the appropriate term. Pay will be backdated to the start of that term, usually 1<sup>st</sup> September.

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 5 working days of the decision notification. The line manager will set out why the application was unsuccessful, and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions may be made to the HT/HoS and then Governors if there is no resolution.

### **8. Additional Allowances**

The Trust may award the following allowances where the staffing establishment confirms a business need.

- Teaching and learning responsibility (TLR) payments
- Special educational needs (SEN) allowances
- Where a teacher is 'acting up' and is assigned the duties of a school leader but is not appointed as a school leader

### **9. Leadership pay**

Academy leadership and Trust staff pay ranges will be determined by the Board of Trustees and will be based upon pupil or student numbers. Trust Leadership pay will be determined based on the number of schools and number of pupils or students currently within the Trust. School context, challenge a level of responsibility will also be taken in to account.

Progression will be based upon appraisal or performance management procedures as set out in the Appraisal/Performance Management Policy. Progression will be incremental by one point, unless there are exceptional circumstances.

#### **9.1 The Decision**

The assessment will be made and the applicant notified within two weeks

The decision will be made by the Board of Governors and CEO (HT/HoS) or Trustees (CEO/Trust staff) who will also determine where the individual will be placed on leadership pay range. The HT will make SLT pay recommendations to the LGB. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move up the leadership pay range (usually by one point) from the start of the appropriate term. Pay will be backdated to the start of that term, usually 1<sup>st</sup> September.

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 5 working days of the decision notification. The line manager will set out why the application was unsuccessful, and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions are covered by our Teacher Appraisal Policy.

## **10. Salary safeguarding arrangements**

We will abide by the STPCD and safeguard teacher's, SLT and Trust LT salaries if the post is revised or removed.

Circumstances where higher pay is safeguarded include a removed or reduced:

- Teaching and learning responsibility (TLR) payment: TLR1 or TLR2
- Special educational needs (SEN) allowance
- Unqualified teacher's allowance
- Leadership pay range or leading practitioner pay range

We will follow the STPCD when applying and managing salary safeguarding.

## **11. Information to be included in pay statements**

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

The statement will be issued by the Governing Board or Board of Trustees as indicated by the SoD. For all teachers, statements will include:

- Payments or other financial benefits awarded
- Any safeguarded sums
- Information on where the teacher can access a copy of the school's staffing structure and pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include:

- The basis on which the salary has been determined
- The criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include:

- The date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include:

- The teacher's position within the pay ranges
- The nature and value of any allowance received
- The value of any teaching and learning responsibility (TLR) payment awarded and details of what it was awarded for
- Where a TLR was awarded to cover a teacher's absence, the end date of circumstances in which it will end
- For TLR3s, the letter should also include a statement that the payment will not be safeguarded

Statements for unqualified teachers will also include:

- The teacher's position within the unqualified teachers' pay range
- The value of any unqualified teacher's allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded

## **12. Appealing a decision on pay progression**

Where any teacher feels that a decision made over their pay is unfair, they have the right to appeal. Teachers should attempt to resolve the matter informally at first, by speaking to their line managers.

If the teacher or SLT member wishes to lodge a formal appeal, they should set out their reasons for appealing in a letter to the Board of Governors. If the member of staff is a HT/HoS or a central Trust employee, the letter should go to the Board of Trustees within 10 working days of the pay statement being issued. Reasons may include:

- The pay policy was incorrectly applied
- The decision contravenes the STPCD or other relevant terms and conditions the teacher is employed under
- The decision contravenes equality legislation
- Relevant evidence was not taken into account
- The decision was biased

The rest of the grievance procedure is set out in our staff grievance procedures, which is based on the Acas Code of Practice for addressing grievances.

If the appeal is upheld, the relevant board will re-issue the pay statement with the correct information.

### **13. Monitoring arrangements**

This policy will be reviewed annually by the Trust CEO and approved by the Board of Trustees.

The Board of Trustees will consider the outcomes and impact of the policy, including trends in progression across specific groups of teachers, to ensure it complies with equalities legislation.

### **14. Links with other policies**

This policy links with our policies on:

- Staff grievance procedures
- Teacher appraisal