

Pay Policy Ref:

**Key responsibility:** Head of School

**Published:** November 2019

**Review Date:** September 2020

## **1. STATEMENT OF INTENT**

- 1.1. This Policy sets out the framework for making decisions on staff pay.
- 1.2. Staff pay is affected by legislation, and national and local pay agreements, which give governing bodies' significant flexibility to determine pay levels to meet local circumstances. The policy complies with the School Teachers' Pay & Conditions Document (STPCD) and the accompanying statutory guidance and with national and local pay agreements for support staff and these documents will take priority in any disputes. The Policy will be reviewed annually, in consultation with staff and unions.
- 1.3. The objective of the policy is to:
  - ensure that pay and staffing arrangements enable the current and future delivery of the curriculum and school improvement plans;
  - recognise and reward staff for their contribution to school improvement;
  - ensure that pay decisions are made in a fair and transparent way;
  - ensure that available monies are allocated appropriately.
- 1.4. The prime statutory duty of governing bodies in England, as set out in paragraph 21(2) of the Education Act 2002 is to "conduct the school with a view to promoting high standards of educational achievement at the school." This pay policy is intended to support that statutory duty.
- 1.5. The Trustees of Laurus Trust will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

## **2. EQUALITIES LEGISLATION**

- 2.1. The Trustees will comply with relevant equalities legislation:
  - Employment Relations Act 1999
  - Equality Act 2010
  - 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

- 2.2. Trustees will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

See Trustees' obligations in relation to monitoring the impact of this policy.

- 2.3. The Trust will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, e.g. long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.

### **3. PAY COMMITTEES**

- 3.1. The Trustees have established a Pay Committee to set the Pay Policy for the school and to implement the approved Pay Policy in respect of the pay for all staff who TUPE'd from Hazel Grove High School on 1st September 2019.

#### **3.2. Pay Committee**

The Pay Committee should consist of at least three named members of the Trustees, none of whom shall be employees or Associate Members.

The CEO and CFO will attend all proceedings of the Pay Committee for the purposes of providing information and advice, but must withdraw when required.

The Head of School and the nominated members of the Leadership Team may attend all proceedings of the Pay Committee for the purposes of providing information and advice but must withdraw when their own salary is being discussed.

#### **3.3. Pay Appeals Committee**

The terms of reference for these committees are attached at Appendix A. Trustees will not make judgments' about the effectiveness of individual staff. Their role is to satisfy themselves that any recommendation/decision has been made on the basis of evidence and in accordance with the Policy, and that correct procedures have been followed. The Trustees will monitor the effectiveness of the Appraisal process and ensure that the allocation of pay is consistent with the overall standard of teaching in the school and the outcomes for pupils.

Where the Trustees collaborate with another governing body or bodies on the appointment of staff, joint pay committees may be established between the relevant governing bodies to deal with pay and performance matters of relevant staff.

### **4. JOB DESCRIPTIONS**

The Head of School will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Trustees. Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the school. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

## 5. ACCESS TO RECORDS

The Head of School will ensure reasonable access for individual members of staff to their own employment records.

## 6. APPRAISAL

- 6.1. The Trustees will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the school's appraisal policy). Although the school will establish a firm evidence base in relation to the performance of all teachers', there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (i.e. application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review.
- 6.2. The Head of School & Senior Leadership Team will moderate objectives to ensure consistency and fairness; the Head of School will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

## 7. TRUSTEES OBLIGATIONS

- 7.1. The Trustees will fulfil their obligations to:
  - **Teachers:** as set out in the School Teachers' Pay and Conditions Document (the STPCD Document) and the Conditions of Service for School Teachers in England and Wales.
  - **Support staff:** the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service and the Trust's pay/grading system.
- 7.2. The Trustees will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that pay decisions can be objectively justified.
- 7.3. The Trustees will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see 'Procedures') and the school's spending plan.
- 7.4. The Trustees will monitor the outcomes of pay decisions, including the extent to which different groups of teachers may progress at different rates, ensuring the school's continued compliance with equalities legislation.
- 7.5. The Trustees will monitor the outcome and impact of this policy, annually assess its effect and continued compliance with equalities legislation. The effect of the policy will be assessed particularly with reference to trends in progression across specific groups of teachers and the correlation between this and Appraisal reviews and outcomes for pupils. The pay of individual staff will remain confidential – shared only with those responsible for making pay decisions and managing administrative matters.

## **8. HEAD OF SCHOOL OBLIGATIONS**

### **8.1. The Head of School will:**

- develop clear arrangements for linking appraisal to pay progression and consult with staff and JCNC on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the Trustees for approval;
- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- submit pay recommendations to Trustees and ensure the Trustees have sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

## **9. TEACHERS' OBLIGATIONS**

### **9.1. A teacher will:**

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser;
- ensure they have an annual review of their performance.

## **10. DIFFERENTIALS**

Appropriate differentials will be created and maintained between posts within the school, recognizing accountability and job weight, and the Trust's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

## **11. DISCRETIONARY PAY AWARDS**

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

## **12. SAFEGUARDING**

Where a pay determination leads or may lead to the start of a period of safeguarding, the Trustees will comply with the relevant provisions of the STPCD Document and will give the required notification as soon as possible and no later than one month after the determination.

## **13. PROCEDURES**

- 13.1.** The Trustees will determine the annual pay budget on the recommendation of the Pay Committee, taking into account the STPCD Document.
- 13.2.** The Trustees have delegated its pay powers to the Pay Committee. Any person employed to work at the school, other than the head and an appropriate member of the Senior Leadership Team, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head of school must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant

person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

- 13.3. No member of the Trustee who is employed to work in the school shall be eligible for membership of this committee.
- 13.4. The Pay Committee will be attended by the Head of School and an appropriate member of the Senior Leadership Team in an advisory capacity. Where the Pay Committee has invited an external adviser to attend and offer advice on the determination of the head of school's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.
- 13.5. The terms of reference for the Pay Committee will be determined from time to time by the Trustees. The current terms of reference are stated fully in Appendix A.
- 13.6. The report of the Pay Committee will be placed in the confidential section of the Trustees' agenda and will either be received or referred back. Reference back may occur only if the Pay Committee has exceeded its powers under the policy.

#### **14. ANNUAL DETERMINATION OF PAY**

All teaching staff salaries, including those of the deputy head(s) and assistant head(s) will be reviewed annually to take effect from 1 September. The Trustees will endeavor to complete teachers' annual pay reviews by 31 October and the Head of School annual pay review by 31 December. If the deadlines are exceeded the Trustees will endeavor to complete the process without undue delay.

#### **15. NOTIFICATION OF PAY DETERMINATION**

Decisions will be communicated to each member of staff by the Head of School in writing and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

#### **16. APPEALS PROCEDURE**

The Trustees have an appeals procedure in relation to pay in accordance with the provisions in paragraph 43. It is set out as Appendix B to this pay policy.

#### **17. APPRAISAL**

Appraisal is a developmental and supportive process designed to ensure that teachers have the skills and support they need to carry out their role and that they continue to improve their professional practice throughout their careers. Appraisal reviewers will be responsible for the Appraisal process, in accordance with the Appraisal Policy. Appraisal objectives will be moderated across the school to ensure consistency and fairness in pay decisions. The Appraisal Review Statement will include a pay recommendation which will be made by:

- The Appraisal reviewer/Head of School\* for Main Pay Range teachers and support staff
- The Head of School for Upper Pay Range and Leadership Range teachers

- The Head of School's Appraisal Review Panel for the Head of School

## 18. STAFFING STRUCTURE

The Pay Committee will, having regard to the advice and recommendation of the Head of School, determine, monitor and review the school staffing structure. The staffing structure sets out the number and pay ranges for all posts within the school.

## 19. LEADERSHIP GROUP

The Head of School will be responsible for or making pay progression decisions, for posts on the Leadership Pay Ranges. Such decisions will be ratified by the Pay Committee.

## 20. OTHER TEACHERS

The Head of School will be responsible for making pay progression decisions, for teachers on the Unqualified, Main and Upper Pay Ranges. Such decisions will be ratified by the Pay Committee.

## 21. SUPPORT STAFF

The Head of School will be responsible for making pay progression decisions, for all support staff.

## 22. PAY TIMETABLE

Date	External	Internal
April		Complete PM review for support staff.
	Inflationary Pay Award for Support Staff	Pay Progression decision effective for support staff
September	Inflationary Pay Award for Teachers	Pay Progression decision effective for teachers
	New Financial Year	
30 September		Complete appraisal review for teachers
31 October (last day of half term)		Notify teachers of annual pay review decision
31 Dec (last day of term)		Notify Head of School of annual pay review decision

22.1. The salaries of staff will be determined annually on or after:

- 1 September, but no later than 31 October (teachers)
- 1 September, but no later than 31 December (headteachers)
- 1 April (support staff)
- at any other time as appropriate to reflect changes in circumstance or job description.

22.2. All staff will be informed in writing of their pay determination and the rationale for it with each year according to the Pay Timetable and at any other time when a salary review takes place.

### 22.3 Serving deputy/assistant headteachers

The Pay Committee will review pay in accordance with paragraphs 22.1 or 22.2 and award up to two points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;

The Pay Committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant Head of School);

The Pay Committee may determine the deputy head pay range at any time in accordance with STPCD pursuant with the discretionary provisions of that paragraph and to maintain differentials.

### 23. ACTING ALLOWANCES

23.1. Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy. The Pay Committee will, within a four-week period of the commencement of acting duties, determine whether or not the acting postholder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

23.2. Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid at an appropriate point of the head's ISR, deputy head range or assistant head range, as determined by the **Pay Committee. Payment will be backdated to the commencement of the duties.**

### 24. CLASSROOM TEACHERS PAY

24.1. Qualified teachers will be paid on the Main Pay Range or the Upper Pay Range.

The Pay Ranges in this school have been divided into progression stages as follows:

#### **Main Pay Range is divided into 6 points – M1 – M6.**

The baseline for the 6 points will be the September 2012 pay range, incorporating any future national minimum and maximum range M1-M6.

Minimum	M1	£24,373
Performance Progression Stage 1	M2	£26,298
Performance Progression Stage 2	M3	£28,413
Performance Progression Stage 3	M4	£30,599
Performance Progression Stage 4	M5	£33,010
Maximum	M6	£35,971

**Upper Pay Range is divided into 5 points (U1, U1a, U2, U2a, U3)**

Minimum	U1	£37,654
Performance Progression Stage 1	U1a	£38,352
Performance Progression Stage 2	U2	£39,050
Performance Progression Stage 3	U2a	£39,770
Performance Progression Stage 4	U3	£40,490

The baseline for the Upper Pay Range will be the September 2019 pay range, UPS 1- 3 minimum and maximum, incorporating any future national minimum and maximum.

Unqualified Teachers will normally be paid on the Unqualified Pay Range.

**24.2. Inflationary increases**

The value of the Pay Ranges, including any performance pay progression stages, will be increased annually in accordance with the inflationary percentage determined nationally.

All teachers will receive any nationally agreed inflationary increase.

**25. PAY PROGRESSION BASED ON PERFORMANCE**

- 25.1. Decisions regarding annual pay progression within the relevant ranges set out above, will be made with reference to teachers' Appraisal statements and the pay recommendation they contain.
- 25.2. In the case of Newly Qualified Teachers, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.
- 25.3. The Trustees expects all teachers to perform at the highest possible level and to continue to improve their professional practice year on year. Appraisal objectives will be progressive and developmental, thereby ensuring that good performance is rewarded and that good teachers have the opportunity over a number of years, to progress to the maximum of their respective pay range.
- 25.4. Decisions on performance pay progression will be based on an assessment of the overall performance of the teacher. These decisions will take into account a wide range of evidence including lesson observations, class data – attainment and progress, appraisal & a general assessment as to how well the teacher has performed against the Teaching Standards.
- 25.5. A teacher will be eligible for annual performance pay progression where they:
  - 1) have been assessed as meeting the Teachers' Standards- parts 1 and 2, throughout the assessment period;

As a teacher moves up the main pay range, this evidence should show:

  - a sustained positive impact on pupil progress;



- a sustained impact on wider outcomes for pupils;
  - any improvements in specific elements of practice identified to the teacher, e.g. behaviour management or lesson planning;
  - a sustained contribution to the work of the school;
  - an increasing impact on the effectiveness of staff and colleagues
- 2) have had their teaching assessed as at least good overall during the assessment period;

*Upper Pay Range teachers will be expected to increasingly demonstrate at least good teaching at all times and a significant amount at outstanding.*

- 3) have been assessed as meeting the requirements of their job description/job role;
- 4) meet their individual appraisal objectives;  
*(Consideration may be given where factors beyond the teacher's control have impacted on their ability to meet objectives as stated in the appraisal policy)*
- 5) have demonstrated a personal responsibility for identifying and meeting their CPD needs.
- 6) have made annual significant contributions to the ethos and whole school improvement targets as identified by the Head of School.

**25.6.** The evidence which will be considered in assessing performance will include:

- pupil progress data;
- quality of teaching against the Teachers' Standards, including observed practice;
- self-assessment;
- professional dialogue;
- received feedback;
- appraisal records;
- CPD records

In the case of Upper Pay Range teacher, evidence of their sustained and effective contribution beyond their own classroom and their impact on the wider school.

**26. DECISION TO PROGRESS**

- 26.1. Where all of the performance pay progression criteria set out above are met, the teacher will move up to the next Performance Pay Progression Stage. Consideration may be applied where not all appraisal objectives have been fully met, but significant progress has been made.
- 26.2. If the evidence shows that a teacher has exceptional performance, the Trustees may consider the use of its flexibilities to award enhanced pay progression up to maximum of 2 salary points on the corresponding scale, on the recommendation of the Head of School.

**27. DECISION NOT TO PROGRESS**

- 27.1. Where the performance pay progression criteria above are not met, the teacher will not receive any performance pay progression.

- 27.2. A decision not to award performance pay progression may be made without recourse to capability procedures. However, teachers who fail to meet the minimum teaching standards and/or who consistently fail to improve their practice or to sustain the expected level of performance for their pay level, may be subject to these procedures.
- 27.3. Where a decision not to progress is made, a range of support and/or training will be put in place to ensure the teacher meets all the requirements of the appraisal process in the future (e.g. coaching, mentoring).
- 27.4. Where a teacher has been absent for some or all of the assessment period, an assessment will be based on performance during any periods of attendance and/or prior performance.
- 27.5. The Pay Committee will be advised by the Head of School in making all such decisions.

## **28. APPLICATIONS FOR THRESHOLD**

- 28.1. All applications should include the results of the two most recent appraisals, under the Appraisal Regulations 2012, in this school, including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.
- 28.2. In order for the assessment to be robust and transparent, it will be an evidence- based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application in support of their application.

## **29. APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE**

- 29.1. From 1 September 2014, any qualified teacher can apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). The school will take into consideration previous pay levels of another school but will not be bound by this pay level.

### **29.2. Process:**

One application may be submitted annually. The closing date for applications is the 30 September each year. Late applications will not be considered.

The process for applications is:

- Complete the school's application form;
- Submit the application form and supporting evidence to the Head of School by the cut-off date of 30 September;
- You will receive notification of the name of the assessor of your application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the Pay Committee of the relevant body;
- The application, evidence and recommendation will be passed to the Head of School for moderation purposes, if the Head of School is not the assessor;

- The Pay Committee will make the final decision, advised by the Head of School;
- Teachers will receive written notification of the outcome of their application as soon as possible after the 31 October. 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 (see 'Assessment' below).
- Successful applicants will move to the minimum of the UPR on 1 September of the following year.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

### **30. UPPER PAY RANGE**

- 30.1. At Hazel Grove the Upper Pay Range consists of 5 pay points. Teachers may apply annually for pay increments from U1 – U1a – U2 – U2a – U3.

The Pay Committee will determine that one point be awarded to a teacher on the upper pay spine if the Head of School and the Pay Committee are satisfied that:

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

#### **30.2. Assessment:**

UPR Teachers need to demonstrate they are maintaining post threshold standards and minimum expectations for a teacher on the Upper Pay Range (see Appendix B in the schools appraisal policy)

- teaching has been rated at least good on all occasions, with much that is outstanding, over a sustained period;
- over a sustained period an ability to support all pupils to meet expected levels of progress/achievement, some will exceed expected levels.
- demonstrate evidence for consistently taking responsibility for identifying and meeting their own professional development needs and using their learning to improve their own practice and pupils' learning;
- demonstrate that they have made an impact on the school beyond their own class/group(s) over a sustained period;
- demonstrating an ability to coach, mentor, advise and demonstrate best practice to, other teachers to enable them to improve their teaching practice;
- contributing to policy and practice which has improved teaching and learning across the school;

Sustained means maintained continuously over a period of at least 3 school years for UPS 1.

### **31. UNQUALIFIED TEACHERS**

Pay progression will be on the same basis as qualified teachers.

### **32. TEACHING AND LEARNING RESPONSIBILITY PAYMENTS**

- 32.1. There are 3 TLR levels: TLR1, TLR2 and TLR3.

- 32.2. TLRs may be awarded to teachers on the Main or Upper Pay Range. A teacher may not be in receipt of more than one TLR payment simultaneously (unless a TLR3 payment has been agreed to an already existing TLR holder). Posts which attract TLR1 and TLR2 Allowances, and the amount of those Allowances, are set out in the staffing structure.
- 32.3. TLR1 and TLR2 payments are permanent while the employee remains in the same post in the staffing structure. TLR3 Allowances are paid for a fixed-term period, for delivery of a significant responsibility in relation to a clearly time-limited school improvement or one-off externally driven project. The Head of School will determine what projects should attract a TLR3 Allowance and the value of those Allowances having regard to the context, nature and complexity of the responsibility.
- 32.4. The Head of School will invite teachers to express interest in relevant projects and will allocate TLR3s on the basis of an assessment, through professional dialogue, of which teacher has the relevant skills and knowledge required for the specific project.
- 32.5. In determining the allocation and value of TLR3 payments, due regard will be given to ensuring consistency, fairness, transparency and value for money.
- 32.6. Where a TLR is awarded, written notification will be given to the teacher of:
- the nature of the significant responsibility;
  - the level of the payment
  - in the case of TLR3, the date on which the Allowance will end.
- 32.7. At Hazel Grove the value of a TLR3 ranges from £555 to £2757. Any value attributed to a project is at the discretion of the Head of School.

### **33. SPECIAL NEEDS ALLOWANCE**

- 33.1. The pay committee will award an SEN spot value allowance on a range of between £2209 and £4359 to any classroom teacher who meets the criteria as set out in the STPCD Document.

When deciding on the amount of the allowance to be paid, the Trustees will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 27.3 of the STPCD Document).

The Trustees will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The Trustees will take account of the STPCD.

### **34. PART-TIME EMPLOYEES**

- 34.1. **Teachers:** The Trustees will apply the provisions of the STPCD Document in relation to part-time teachers' pay and working time.
- 34.2. **All staff:** The head and Trustees will use its best endeavours to ensure that all part time employees are treated no less favourably than a full-time comparator.

- 34.3. Teachers who work less than a full day or week are deemed to be part-time. The proportion of full-time will be calculated in accordance with the Teachers Pay & Conditions Document as follows:

$$\frac{\text{Teacher's timetabled teaching time}}{\text{School's timetabled teaching time}} = \text{part-time percentage}$$

- 34.4. Part-time teachers will be expected to work a corresponding proportion of directed time and will receive a corresponding proportion of a full- time salary.

### **35. TEACHERS EMPLOYED ON A SHORT NOTICE BASIS**

- 35.1. Such teachers will be paid in accordance with the STPCD Document.

### **36. ADDITIONAL PAYMENTS**

- 36.1. In accordance with the STPCD Document, the Trustees may make payments as they see fit to a teacher, in respect of:

- 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 agreed between the teacher and the Head of School;
- additional responsibilities and activities due to, or in respect of, the provisions of services by the Head of School relating to the raising of educational standards to one or more additional schools.

- 36.2. The pay committee will make additional payments to teachers in accordance with the provisions of the STPCD Document where advised by the head. Payment will be calculated on a pro-rata daily basis at 1/195 of the teacher's actual salary.

### **37. RECRUITMENT AND RETENTION INCENTIVE BENEFITS**

- 37.1. The Trustees can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a retention incentive.

- 37.2. The pay committee will consider exercising its powers where they consider it is appropriate to do so in order to retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn.

- 37.3. The Trustees will, nevertheless, conduct an annual formal review of all such awards.

### **38. SALARY SACRIFICE ARRANGEMENTS**

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his gross salary shall be reduced accordingly, in accordance with the provisions of the STPCD Document.

### **39. PENSIONS**

- 39.1. All regular salary payments and additional allowances and payments to staff within this policy, with the exception of some recruitment and retention benefits, are pensionable.

Note: Full-time teachers cannot be members of the Teachers' Pension Scheme for a second job (e.g. 1:1 tuition at another school). They can however join the Local Government Pension Scheme for this secondary employment.

- 39.2. The Trustees will not promote staff through the grading systems or use other pay flexibilities to assist in securing an employee's improved pension entitlement on retirement. The Trustees recognises that, where this to be done, the DfE and/or pension regulator, where appropriate, may use their powers to substitute a notional salary for calculation of pension.

### **40. SALARY SAFEGUARDING/PROTECTION**

The Trustees will ensure appropriate salary protection/safeguarding for teachers in accordance with the School Teachers' Pay and Conditions Document and for support staff in accordance with the schools' Redundancy and Re- organisation Procedure. Employees in receipt of safeguarding will be expected to undertake commensurate work.

### **41. STAFFING BUDGET**

The amount of money allocated to implementing the Pay Policy will be determined at the beginning of each financial year through the budget allocation process of the school. The Trustees will endeavour to ensure that appropriate funding is allocated for performance pay progression at all levels.

### **42. OVER/UNDER PAYMENTS**

- 42.1. Every effort will be made to make accurate salary and other payments on the due date. However, should an overpayment or underpayment occur the Trustees will seek to recover/refund the amount, limited to 4 years of overpayment (except in cases of wilful misrepresentation or omission by the employee). Employees are expected to draw to the attention of the Head of School any overpayment or underpayment as soon as possible.

- 42.2. In the case of overpayments, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought about a reasonable repayment schedule. In the absence of such an agreement the school will determine a recovery schedule, usually through deductions not exceeding 5% of the monthly gross pay. Recovery of overpayments/refund of underpayments will be pursued in the case of former employees

### **43. APPEALS PROCEDURE**

- 43.1. Pay recommendations will be contained within Appraisal Review Statements and these will be discussed with employees at the review meeting. Where an employee has concerns about the pay recommendation which cannot be resolved at the review meeting, they should include these on the review statement for consideration by those responsible for making pay decisions.

- 43.2. An employee may make a formal appeal against a decision on pay, which must be submitted in writing within 10 working days of receipt of written notification of that decision.
- The grounds of appeals are that the decision maker(s):
- incorrectly applied the provisions of the Teachers' Pay & Conditions Document / national / local terms and conditions;
  - failed to have proper regard for statutory guidance;
  - failed to take proper account of relevant evidence and/or took account irrelevant or inaccurate evidence;
  - were biased; or
  - otherwise unlawfully discriminated against the employee.
- 43.3. Appeals will be heard by the Pay Appeals Committee. The Appeals will be heard at a meeting, normally within 20 working days of receipt of the written appeal. The employee will be entitled to attend the appeal meeting, to make representations and to be accompanied by a work colleague or a member of a recognised Trade Union.
- 43.4. The procedure for the conduct of the appeal meeting is at Appendix B. Any written submissions relevant to the appeal, must be circulated to all parties at least 3 working days prior to the meeting.
- 43.5. The decision of the appeal committee will be notified in writing and, where the appeal is rejected, this will include a note of the evidence considered and the reasons for the decision. The decision of the Trustee's Pay Appeals Committee is final and there is no recourse to the staff grievance procedure.
- 43.6. The Head of School shall be entitled to attend, for the purposes of providing information and advice (except in the case of his/her own salary), all proceedings of the Pay Appeals Committee.
- 43.7. The role of the Pay Appeal Committee is not to make judgement about the effectiveness of individual staff. It is to satisfy themselves that any recommendation/decision has been made on the basis of evidence and has been made taking proper account of equal opportunities and that correct procedures have been followed.

## **Appendix A - Pay Committee - Terms of Reference**

The Trustees shall establish a Pay Committee to set the Pay Policy for the school and to implement the approved Pay Policy in respect of the pay for all staff. The Pay Committee shall consist of at least three named members of the Trustees, none of whom shall be employees or Associate Members. The CEO and CFO will attend the Pay Committee, but will withdraw when required. The Heads of School, and their nominated members of the Leadership Team, may attend all proceedings of the Pay Committee for the purposes of providing information and advice, but must withdraw when their own salary is being discussed. A quorum shall consist of two Trustees.

### **Duties**

- To determine the Pay Policy for the school;
- To advise the Trustees on current and future pay level;
- To ratify appropriate salary ranges and starting salaries for members of the leadership group;
- To ratify annual pay progress for teachers (by week commencing 31 October at the latest) as set out in the Pay Policy, taking account of any recommendations made on the Performance Management review statement, in accordance with the approved pay policy;
- To approve applications to be paid on the Upper Pay Range
- To approve annual pay progress for the Heads of School (by 31 December at the latest), taking account of the recommendation made by the Heads of School's Performance Review Panel, following the annual review;
- To determine the application of national inflationary increases as re-quired;
- To monitor and report to the full Trustees on the annual pattern of performance pay progression at each level and the correlation between pay progression, quality of teaching and outcomes for students.





### **Pay Appeals Committee – Terms of Reference**

The Trustees shall establish a Pay Appeals Committee to deal with all appeals against pay decisions. The meeting of the Staff Pay Appeals Committee should be minuted. The Pay Appeals Committee shall consist of at least three named members of the Trustees, none of whom shall be employees or Associate members or members of the Pay Committee. The Head of School may attend all proceedings of the Pay Appeals Committee for the purpose of providing information and advice (except where the appeal is in respect of his/her own salary, where s/he will attend for the purposes of making his/her case). A quorum shall consist of two Trustees.

#### **Duties**

- To determine formal appeals against pay determinations in accordance with the Appeals Procedure set out in the Pay Policy.

### **Remuneration Committee - Terms of Reference**

The Trustees shall establish a Remuneration Committee to set the pay level for the CEO and CFO. The Remuneration Committee shall consist of two Board Trustees neither of whom shall be involved in reviewing the PM Objectives of either the CEO or CFO. A quorum will consist of two Trustees.

#### **Duties**

- To consider the recommendations of pay for the CEO and CFO and set the level for the calendar year.



## **APPENDIX B – PAY APPEALS MEETING PROCEDURE**

The meeting should be attended by the employee, his/her colleague or representative if required, a representative of the Pay Committee and the Pay Appeals Committee. The Head of School should attend to provide information and advice (except where s/he is the appellant).

- i. Introductions and opening remarks
- ii. Member of staff and/or representative to present case (and call witnesses if appropriate)
  - a. Pay Committee Representative to ask questions
  - b. Pay Appeals Committee to ask questions
- iii. Pay Committee Representative to respond (and call witnesses if appropriate)
  - a. Member of staff and/or representative to ask questions
  - b. Pay Appeals Committee to ask questions
- iv. Head of School to add any relevant information (where not the appellant)
- v. Employee or representative to make closing statement
- vi. Both parties withdraw to allow Pay Appeals Committee to consider their decision
- vii. Either both parties invited back to hear decision or the decision will be communicated in writing within 48 hours.