

# Hotspur Primary School

## School Pay Policy for Teachers and Support Staff



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HR Services	September 2012	1.0	Model policy approved by Executive Director of Children's Services
HR Services	May 2013	1.1	Model policy
Amended by	Revision Date		
Heaton Partnership	21 <sup>st</sup> June 2013	2.0	Initial draft for consideration by headteachers
School	1 <sup>st</sup> September 2013	3.0	Draft for consultation with staff and trade union representatives
School		4.0	Final version approved by governing body

### 1 Scope

This policy is recommended for adoption by the governing bodies of community, voluntary controlled voluntary aided and foundation schools.

### 2 Purpose

The purpose of this policy is to set out the principles and arrangements for determining the pay of all teaching and support staff at the school. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD). This policy applies to the period 1 September 2013 to 31 August 2014.

### 3 Legal Considerations

- The statutory regulations governing teachers' pay are set out in the School Teachers' Pay and Conditions Document. Any payments not provided for within the document are unlawful.
- Community, voluntary controlled, community special and maintained nursery schools are required by law to follow the pay and conditions for support staff set by the local authority. Voluntary aided and foundation/foundation special schools may set their own terms and conditions for support staff, although generally adopt those set by the local authority.
- All governing bodies must consider equalities and equal pay legislation when determining pay ranges and salaries. The local authority has overall responsibility for compliance by community and voluntary controlled schools. In voluntary aided and foundation schools this rests

with the governing body. An employee who considers that there has been a breach of the legislation may submit a complaint to an Employment Tribunal.

- Members of the Teachers' Pension Scheme may have their pension benefits restricted when retirement benefits are calculated if a significant increase in pay has taken place during the period that the average salary calculation considers, unless the governing body makes an additional financial contribution. Details of the relevant statutory regulations are available from Teachers' Pensions.
- It is a legal requirement that the governing body has a procedure for dealing with complaints from employees about individual pay decisions that complies with the grievance procedure set out in the ACAS Code of Practice on Disciplinary and Grievance Procedures'.

#### 4 Roles and Responsibilities

- **Governing body:** The governing body has determined that that the process for making decisions on the pay of staff shall be delegated to a Pay Review Committee. There shall be a quorum of three, non-employee governors who will carry out determinations of pay. The committee shall decide the pay of all staff in the school by the effective application of the policy in all circumstances, including upon appointment, when the staffing structure changes and in conducting the annual salary review for teachers. For the head teacher's salary review, the 2 or 3 governors appointed to undertake the head's appraisal will make a recommendation about performance pay, where the head is eligible, following advice from the School Improvement Partner (SIP)/External Adviser.

**Head Teacher:** The head teacher shall be an adviser to the Pay Review Committee but shall withdraw from any discussion in relation to his own pay.

**Appraisers:** the Head Teacher is responsible for the appraisal of all teaching staff and the recommendation regarding performance pay decisions. However, the Head Teacher may delegate responsibility for the appraisal of teaching staff but shall remain responsible for any recommendation for pay progression.

**Employee representatives:** Where an employee appeals against an individual pay decision, they can be accompanied to the hearing by a fellow worker or trade union representative. The recognised trade unions in Newcastle are ASCL, ATL, NAHT, NASUWT and NUT for teaching staff and GMB and Unison for support staff. All trade union officials, regardless of whether the union is recognised, may represent their members individually.

- **Local Authority (LA):** Community and voluntary controlled schools have a statutory duty to consult with the LA about its recommended pay and grading for support staff before this is agreed. Voluntary aided schools should seek advice from the LA to ensure that equal pay is considered.
- **Employee Services:** Where the school has a Service Level Agreement with Employee Services, the statutory notification of pay decisions to teachers will be carried out on behalf of the school as part of this agreement.

## 5 Policy Statement

The governing body will operate a pay policy that:

- reflects the aims, objectives and priorities of the school improvement plan by creating and supporting an appropriate pay and staffing structure;
- is consistent with statutory requirements and collective agreements relating to the pay and conditions of service for teaching and support staff;
- aims to recruit, retain, motivate and reward staff for their work and contribution to school life within budgetary constraints and the agreed staffing structure of the school;
- is developed in consultation with staff and recognised trade union representatives and is accessible to all;
- is consistent, including where discretionary powers are exercised, with the principles of public life - objectivity, openness and accountability;
- establishes an appropriate mechanism for considering grievances in relation to individuals' pay; and
- achieves compliance with the Employment Relations Act 1999, Employment Rights Act 1996, Equality Act 2010, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Agency Workers Regulations 2010.

## 6. Relationship with School Staffing Structure

- The staffing structure of the school, as agreed by the governing body following consultation with staff and recognised trade union representatives), is set out in Annex A of this policy. This details the pay and grading of each teaching and support staff post in the structure.
- In the event of future developments leading to adjustments being made to the structure (Annex A), further consultation will be undertaken with staff and trade union representatives.

## 7 Teaching Staff

## 7.1 Salary Reviews

- 7.1.1 Every teacher's salary will be reviewed with effect from **1 September** each year. This will be completed no later than **31 October**), except in the case of the head teacher where the review will be complete by **31 December**.
- 7.1.2 Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay.
- 7.1.3 A written pay statement will be provided after any review and include the salary and any additional allowances/payments and/or any safeguarding arrangements that apply
- 7.1.4 Teachers may appeal against their salary review by using the procedure set out in 'Appeals by teachers against individual pay decisions' below.

## 7.2 Discretions in Pay Ranges, Starting Salaries and Pay Progression

### 7.2.1 Head Teachers

#### **Pay on appointment**

For appointments on or after 1 September 2013, the governing body will determine the pay range to be advertised and agree pay on appointment in accordance with paragraphs 11 and 6.2(e):

- the pay committee will review the school's head teacher group and the head's Individual School Range (ISR) in accordance with paragraphs 7, 8 and 10 (ordinary school), or paragraphs 7, 9 and 10 (special school);
- if the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set an ISR in accordance with the provisions of paragraphs 11.2.4 and 6.2(e).
- the pay committee will have regard to the provisions of paragraph 11.2.2 and will also take account of any other permanent payments made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the pay committee will exercise its discretion under paragraph 6.2(e) and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- the pay committee will consider exercising its discretion to award a discretionary payment under 11.5(b) where the governing body

considers the school would have difficulty recruiting to the vacant head teacher post;

- the pay committee will consider the need to award any further discretionary payments to a head teacher in line with paragraph 11.4.1 to 11.6.2;
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 11.6.2. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek external independent advice before providing such agreement.

### **Serving head teachers**

The governing body will determine the salary of a serving head teacher in accordance with paragraph 6 of the Document.

- the pay committee will review the head teacher's pay in accordance with paragraph 6.2(b) of the Document and award progression where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the head teacher's most recent appraisal report.
- the pay committee may determine the head's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary
- if the pay committee makes a determination to change the ISR, it will determine the head's ISR within the group range for the school, in accordance with paragraph 11
- if the head teacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment under paragraphs 11.4.2 and 11.5(d).
- the pay committee will consider the use of discretionary payments, as per the provisions of paragraphs 11.4.1 to 11.6.2.
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 11.6.2. However, before agreeing to do so, it will seek the agreement of the whole governing body which in turn will seek external independent advice before providing such agreement.
- The governing body may award discretionary payments up to a maximum of 25% of the current salary point in the following circumstances provided the relevant body has not previously

taken these reasons into account when determining the ISR under an earlier Document:

- (a) the school is causing concern;
- (b) without such additional payments the relevant body considers that the school would have substantial difficulty filling the vacant head teacher post;
- (c) without such additional payments the relevant body considers that the school would have substantial difficulty retaining the current head teacher; or
- (d) the head teacher is appointed as a temporary head teacher in one or more additional schools

## **7.2.2 Deputy Head Teachers & Assistant Head Teachers**

### **Pay on appointment**

The staffing/pay review committee will determine the pay range to be advertised and agree pay on appointment as follows:

- the pay committee will determine a five point pay range in accordance with paragraph 13 of the Document, ;
- the pay committee will record its reasons for the determination of the deputy/assistant head pay range
- the pay committee will exercise its discretion under paragraph 12.3 of the Document, and pay any of the bottom three points on deputy/assistant head pay range, in order to secure the appointment of its preferred candidate.
- the pay committee will exercise its discretion under paragraph 47 of Document where there are recruitment issues.

### **Existing Deputy/Assistant head teachers**

- the pay committee will review pay in accordance with paragraph 12 and may award progression where there has been sustained high quality performance having regard to the results of the recent appraisal, and to the 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 teacher
- the pay committee may determine the deputy head/assistant head teacher pay range at any time in accordance with paragraph 13 to maintain differentials;

### 7.2.3 **Leading Practitioners (LPs)**

#### **Pay on appointment**

Where Leading Practitioner post(s) are included in the Staffing Structure (see Annex), each post will be paid in accordance with paragraph 18. The governing body will keep under review whether or not they wish to establish one or more Leading Practitioner posts in light of the school's needs.

Where there is more than one post, individual post ranges may vary having regard to the challenge and specific responsibilities of the individual posts and pay differentials within the school.

The minimum, maximum and interim reference points for each individual post range will be increased annually in accordance with any nationally agreed pay award.

The school staffing structure in Annex A identifies the Leading Practitioner posts in this school.

The pay committee will determine the starting salary of a vacant Leading Practitioner post having regard to:

- the requirements of the post;
- any specialist knowledge required for the post;
- the experience required to undertake the specific duties of the post;
- the teacher's previous relevant roles and experience; and
- the wider school context.

Salaries are not automatically portable between schools/settings, however the appointment panel will take the teachers' current salary into account when deciding the starting salary to be offered. The appointment panel will, if necessary, use its discretion to award a recruitment incentive to secure the candidate of its choice.

#### **Pay determinations with effect from 1 September 2014.**

The pay committee shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 21 of the 2013 Document.

The pay committee will determine pay progression such that it is clearly attributable to the performance of the leading practitioner.

The rate of pay progression on 1 September will be differentiated according to an individual teacher's performance on the basis of absolute performance measures and subject to reaching the maximum of the pay range:

- teachers will be eligible for pay progression of one reference point if the teacher meets all their objectives and meets the teachers' standards, which will be appropriate to their job role, career stage and school context;
- teachers will be eligible for pay progression of two reference points if the teacher exceeds their objectives and exceeds the teachers' standards, which will be appropriate to their job role, career stage and school context.

It is expected that any teacher who is not on track to meet their objectives and/or the teachers' standards at a level appropriate to their job role, career stage and school context will have had this drawn to their attention by their appraiser during the appraisal period. The appraiser should document this in their notes of the discussion.

A decision not to award performance pay may be made without recourse to capability procedures.

#### 7.2.4 **CLASSROOM TEACHERS**

##### **Pay on appointment**

Classroom teacher posts will be advertised to include the minimum of the main pay range and maximum of the upper pay range.

The pay committee will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range, such as the governing body determines, having regard to:

- the requirements of the post;
- any specialist knowledge required for the post;
- the experience required to undertake the specific duties of the post;
- the teacher's previous relevant roles and experience; and
- the wider school context.

Salaries are portable between schools/settings. The pay committee will, if necessary, use its discretion to award a recruitment incentive to secure the candidate of its choice.

Newly Qualified Teachers in their first year will normally be paid on the minimum of the Main Pay Range.

A teacher who has already passed the “threshold” in another school or setting will be appointed to the upper pay range.

Only teachers who have successfully applied for “threshold” can be paid on the upper pay range, unless they have previously been paid on the leadership group, advanced skills teacher or excellent teacher payscale.

The pay committee has determined the following reference points within the main pay range for teachers in this school as follows:

Minimum	£21,588
Reference point 1	£23,295
Reference point 2	£25,168
Reference point 3	£27,104
Reference point 4	£29,240
Maximum	£31,552

The pay committee has determined the following reference points within the upper pay range for teachers in this school as follows:

Minimum	£34,181
Reference point 1	£35,447
Maximum	£36,756

**Note: the above values to be finalised once STPCD 2013 published**

The minimum, maximum and interim reference points for each range will be increased annually in accordance with any nationally agreed pay award.

## **MAIN PAY RANGE**

### **Pay determinations for existing main payscale teachers, effective from 1 September 2013**

The pay committee will follow the provisions of the 2012 Document and award a point on the main scale pay range, unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The pay committee will exercise this discretion only in the context of a formal capability procedure. The pay committee will restore the withheld point at the conclusion of the capability procedure where satisfactory performance has been achieved. This will not be backdated.

Where the teacher is subject to the Appraisal Regulations 2012, the pay committee will award one additional point provided the teacher's performance in the previous school year was excellent, having regard

to the results of the most recent appraisal (paragraph 18.2.1 (c), the 2012 Document).

- 7.2.5 Where the teacher is not subject to the Appraisal Regulations 2012, the pay committee will award one additional point where the teacher's performance in the previous 12 months was excellent having regard to all aspects of his/her professional duties and the Teachers' Standards, but in particular classroom teaching, in accordance with paragraph 18.2.1(c) of the Document 2012.

**Pay progression for main pay range teachers, effective from 1 September 2014 onwards**

The pay committee shall have regard to the results of the teacher's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 21 of the 2013 Document.

In the case of Newly Qualified Teachers, who are not subject to appraisal regulations, pay decisions will be based on evidence from the statutory induction process.

The pay committee will determine pay progression such that it is clearly attributable to the performance of the teacher.

The Governing Body 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 teachers whose continued performance is good have the opportunity over time to progress to the maximum of their pay range.

The rate of pay progression on 1 September will be differentiated according to an individual teacher's performance on the basis of absolute performance measures and subject to reaching the maximum of the pay range:

- teachers will be eligible for pay progression of one reference point if the teacher meets all their objectives and meets the teachers' standards, which will be appropriate to their job role, career stage and school context;
- teachers will be eligible for pay progression of two reference points if the teacher exceeds their objectives and exceeds the teachers' standards, which will be appropriate to their job role, career stage and school context.

It is expected that any teacher who is not on track to meet their objectives and/or the teachers' standards at a level appropriate to their

job role, career stage and school context will have had this drawn to their attention by their appraiser during the appraisal period. The appraiser should document this in their notes of the discussion. A decision not to award performance pay may be made without recourse to capability procedures.

#### 7.2.6 Upper Pay Range Applications

##### **ROUND 13 APPLICATIONS FOR THRESHOLD**

If a teacher reached M6 on 1 September 2012 and applies before the 31 October 2013, under Round 13, their applications will be assessed using the 2012 Document ie against the Teachers' Standards and the post-threshold standards, having regard to the most recent appraisal reviews.

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

From 1 September 2013, any qualified teacher can apply to be paid on the Upper Pay Range once per year. If a teacher is simultaneously employed at another school(s), they may submit separate applications to each school. This school will not be bound by any pay decision made by another school.

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, eg 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.

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they keep a paper based record to support their application.

##### **Process:**

One application may be submitted annually. The closing date for applications will be 31 October each year; however, exceptions will be made in particular circumstances, eg those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:

- Submit the written application and supporting evidence to the head teacher by 31 October.
- The head teacher will assess the application, which will include a recommendation to the pay committee;
- The pay committee will make the final decision, advised by the head teacher;
- Teachers will receive written notification of the outcome of their application.
- Where the application is unsuccessful, feedback will be provided
- Successful applicants will move to the minimum of the UPR

- backdated to 1 September.
- Unsuccessful applicants can appeal the decision in accordance with the appeal provisions contained in this pay policy.

**Assessment:**

The teacher will be required to meet the criteria set out in paragraph 17 of the Document, namely that:

- 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.

In this school the committee will be satisfied that the above criteria for progression to the upper pay range are met where the teacher meets both the teachers' standards and the upper pay range criteria in Annex B, as evidenced by their two latest written appraisal reports (or equivalent for those not subject to appraisal regulations and subject to any break in service by the teacher).

#### 7.2.7 **UPPER PAY RANGE**

**Pay determinations effective from 1 September 2013**

In accordance with paragraphs 19.5 and 19.6 of the 2012 Document the pay committee will determine that one point be awarded to a teacher on the upper pay spine whose achievements and contribution to the school, throughout the relevant period have been substantial and sustained (paragraphs 19.5.1, 2012 Document ).

In reaching its decision, the pay committee shall have regard to the results of the teacher's two most recent appraisal reports, including any pay recommendation, when exercising its discretion in accordance with the provisions of paragraph 19.5.1 of the 2012 Document.

**Pay determinations effective from 1 September 2014**

The pay committee shall have regard to the results of the teacher's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 21 of the 2013 Document.

The pay committee will determine pay progression such that it is clearly attributable to the performance of the teacher.

The Governing Body 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 teachers whose continued performance is good have the opportunity over time to progress to the maximum of their pay range.

The rate of pay progression on 1 September will be differentiated according to an individual teacher's performance on the basis of absolute performance measures and subject to reaching the maximum of the pay range:

- teachers will be eligible for pay progression of one reference point if the teacher meets all their objectives and meets the teachers' standards, which will be appropriate to their job role, career stage and school context;
- teachers will be eligible for pay progression of two reference points if the teacher exceeds their objectives and exceeds the teachers' standards, which will be appropriate to their job role, career stage and school context.

It is expected that any teacher who is not on track to meet their objectives and/or the teachers' standards at a level appropriate to their job role, career stage and school context will have had this drawn to their attention by their appraiser during the appraisal period. The appraiser should document this in their notes of the discussion. The pay committee will be advised by the head teacher in making all such decisions.

#### 7.2.8 **UNQUALIFIED TEACHERS** **Pay on appointment**

The pay committee will determine the starting salary on the unqualified pay range having regard to:

- the requirements of the post;
- any specialist knowledge required for the post;
- the experience required to undertake the specific duties of the post;
- the teacher's previous relevant roles and experience; and
- the wider school context.

Salaries are not automatically portable between schools/settings, however the appointment panel will take the teachers' current salary into account when deciding the starting salary to be offered. The pay committee will, if necessary, use its discretion to award a recruitment incentive to secure the candidate of its choice.

Where an unqualified teacher continues to be employed at this school when they obtain qualified teacher status, they will be paid a salary on the main pay range that is the same as or higher than the sum of their salary on the unqualified pay range and any unqualified teacher allowance payable.

Where an unqualified teacher obtains qualified teacher status

retrospectively they will be paid a lump sum by this school if we were responsible for their remuneration at the time when QTS was effectively obtained. This will be the difference (if any) between the remuneration the teacher was actually paid as an unqualified teacher and the salary (not including any allowances) the teacher would have been paid as a qualified teacher, from the date QTS was effectively obtained to the date when the lump sum is paid.

The pay committee has determined the following reference points within the unqualified pay range for teachers in this school as follows:

Minimum	£15,817
Reference point 1	£17,657
Reference point 2	£19,497
Reference point 3	£21,336
Reference point 4	£23,177
Maximum	£25,016

**Note: the above values to be finalised once STPCD 2013 published**

The minimum, maximum and interim reference points will be increased annually in accordance with any nationally agreed pay award.

**Pay determinations effective from 1 September 2013**

The pay committee will follow the provisions of the 2012 Document and award a progression point on the unqualified teacher scale (paragraph 35), unless the teacher has been notified, in writing, that their service has been unsatisfactory for the previous academic year. The pay committee will exercise this discretion only in the context of a formal capability procedure. The pay committee will restore the withheld point at the conclusion of the capability procedure where satisfactory performance has been achieved. This will not be backdated.

Where the teacher is subject to the Appraisal Regulations 2012, the pay committee will award one additional point where the teacher's performance in the previous 12 months was excellent having regard to the results of the most recent appraisal.

Where the teacher is not subject to the Appraisal Regulations 2012, the pay committee will award one additional point where the teacher's performance in the previous school year was excellent, having regard to all aspects of the teacher's professional duties, in particular, classroom teaching.

**Pay determinations effective from 1 September 2014**

The pay committee shall have regard to the results of the teacher's appraisal, including the pay recommendation, when exercising any

discretion in relation to their pay, in accordance with paragraph 21 of the 2013 Document.

The pay committee will determine pay progression such that it is clearly attributable to the performance of the teacher.

The Governing Body 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 teachers whose continued performance is good have the opportunity over time to progress to the maximum of their pay range.

The rate of pay progression on 1 September will be differentiated according to an individual teacher's performance on the basis of absolute performance measures and subject to reaching the maximum of the pay range:

- teachers will be eligible for pay progression of one reference point if the teacher meets all their objectives and meets the teachers' standards, which will be appropriate to their job role, career stage and school context;
- teachers will be eligible for pay progression of two reference points if the teacher exceeds their objectives and exceeds the teachers' standards, which will be appropriate to their job role, career stage and school context.

It is expected that any teacher who is not on track to meet their objectives and/or the teachers' standards at a level appropriate to their job role, career stage and school context will have had this drawn to their attention by their appraiser during the appraisal period. The appraiser should document this in their notes of the discussion.

A decision not to award performance pay may be made without recourse to capability procedures.

#### **7.2.9 Considerations for eligibility for pay progression**

Teachers will be eligible for pay progression on 1 September if they have completed a year of employment, defined as at least 26 weeks of employment in aggregate within the previous school year. This includes any holiday periods, absence due to sickness, injury, pregnancy, maternity leave, parental leave, paternity leave or adoption leave. Where a teacher is absent from work for any other reason the committee will use its discretion on a case-by-case basis to decide whether the teacher is eligible for consideration for pay progression.

Subject to having met the above criterion, the committee recognises that a significant period of absence for a teacher during the appraisal period (or statutory induction period for newly qualified teachers, or equivalent period for teachers not subject to the appraisal process)

may affect the recommendation and decision about whether the teacher should be awarded pay progression. Where that absence is a result of the protected characteristic of pregnancy/ maternity or disability under the Equality Act 2010, the committee will take this into account as follows when making a decision about pay progression: where the teacher's absence has resulted in their attending for work for at least half of the 195 working days (or pro-rata number for part-time teachers) during the appraisal period then a judgement about their performance will be made on the basis of the amount of the appraisal period they did complete and the expectations about the extent to which they will have achieved or made progress towards their objectives will be adjusted to be proportionate to that period; where the teacher's absence has resulted in their attending work for less than half of the 195 working days (or pro-rata number for part-time teachers then this will not be considered to be sufficiently substantial for the teacher to make significant progress towards their objectives nor for an effective judgement about the teacher's performance to be made and therefore they will not be considered to be eligible for pay progression for that appraisal period. Significant periods of absence as a result of other protected characteristics will be considered on a case-by-case basis as they are likely to occur less frequently but it is expected that similar arrangements will apply. Absences as a result of factors other than protected characteristics will not be considered in the above way and therefore judgements of performance and pay decisions will be made in the same way as any other teacher.

### **7.3 Additional payments**

#### **7.3.1 Acting Allowances**

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with paragraph 30 of the Document. 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.

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

#### **7.3.2 Teaching & Learning Responsibility Payments – Paragraphs 23-25**

From September 2013, there are 3 TLR levels:-

- TLR1 – ranges from £7323 to £12393 per annum
- TLR2 - ranges from £2535 to £6197 per annum

- TLR3 – ranges from £500 to £2500 per annum

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. Payments are made on a pro rata basis for part-time teachers.

Posts which attract TLR1 and TLR2 payments, and the amount of those payments, are set out in the staffing structure (see Annex A).

TLR1 and TLR2 payments are permanent while the employee remains in the same post in the staffing structure with the same responsibilities.

TLR3 Allowances are paid for a fixed-term period (defined at the outset), for delivery of a significant responsibility in relation to a clearly time-limited school improvement or one-off externally driven project.

The headteacher will determine which projects/responsibilities should attract a TLR3 payment and the committee will decide the value of those payments having regard to the context, nature and complexity of the responsibility within the statutory annual value of £500 to £2,500.

The headteacher 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.

In determining the allocation and value of TLR3 payments, due regard will be given to ensuring consistency, fairness, transparency and value for money.

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.

No safeguarding will apply in relation to ending a TLR3 payment.

### 7.3.3 **Special Educational Needs Allowance – Paragraph 27**

The range for the SEN allowance is between £2001 and £3954 per annum and must be awarded to main and/or upper pay range teachers who meet the criteria as specified in paragraph 27.2 of the Document.

The posts designated to receive an SEN allowance are shown in the staffing structure (see Annex).

The pay committee must determine the spot value of the SEN allowance based upon the SEN provision in school and whether any mandatory qualifications are required, the qualifications and/or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 27.3 of the Document).

**7.3.4 Unqualified teachers' allowance – Paragraph 28**

Not applicable *OR* Governors will award allowances for unqualified teachers in accordance with paragraph 28 of the STPCD 2013.

**7.3.5 Recruitment & Retention – Paragraph 47**

- Governors will not exercise their discretion to award recruitment and retention incentives and/or benefits to teachers. Governors will keep this decision under review.

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**7.3.6 Residential Duties**

Not applicable

**7.3.7 Payments for out of school hours learning activities**

Governors will not make payments to teachers to provide learning activities outside of the school day.

Governors will keep this decision under review.

**7.3.8 Continuing Professional Development (CPD)**

Governors will not exercise their discretion to make payments to all teachers, including head teachers, who voluntarily undertake CPD outside of the school day.

Governors will keep this decision under review.

**7.3.9 Initial Teacher Training (ITT) Activities**

Governors will not exercise their discretion to make payments to all teachers, including head teachers, who voluntarily undertake school-based initial teaching training activities.

Governors will keep this decision under review.

**7.3.10 Service Provision**

Governors will exercise their discretion to make an additional payment to the head teacher and other staff for additional responsibilities and activities due to or in respect of the provision

of services by the head teacher relating to the raising of educational standards to one or more additional schools.

*If discretion applied* This provision will not apply to the head teacher if they are appointed on a permanent or temporary basis as per 11.2.4 of the Document.

#### 7.4 **Non-Discretionary Payments**

##### **Safeguarding**

Where teachers would otherwise experience a reduction in salary, the governing body will apply the statutory arrangements for safeguarding set out in the School Teachers' Pay and Conditions Document. The governing body recognises that it has no discretion to provide safeguarding arrangements that differ from these.

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

The receipt of safeguarding of £500 or more is subject to the teacher undertaking additional duties that the governing body considers are appropriate and commensurate with the safeguarded sum. The governing body must withdraw the safeguarded sum if the teacher unreasonably refuses to undertake these duties and will give one month's notice to the teacher.

#### 7.5 **Part-Time Teachers**

Teachers employed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part-time. They are eligible for the same pay ranges and other allowances/payments as full-time teachers.

A part-time teacher will be paid according to the proportion of the school's timetabled teaching week (STTW) that they work. Two or more calculations will be required where the teacher works across different parts of the school which each have a different timetabled teaching week.

#### 7.6 **Supply Teachers**

Teachers who work on a day-to-day or other short notice basis must be paid in accordance with paragraph 44 of the Document.

They will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; payments for less than a day will be paid on a pro rata basis.

Governors have discretion to award relevant allowances or payments where this is specified in the school's staffing structure and the supply teacher is undertaking the full range of duties or those appropriate to receive that particular payment.

The pay of supply teachers will be calculated as follows:

- Daily rate: annual salary divided by 195 days
- Hourly rate: annual salary divided by 1265

The head teacher will determine the relevant point on the relevant pay range for which payment will be based, in accordance with the arrangements in 7 above.

## 7.7 Appeal against individual pay decisions - Teachers

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

The usual reasons for seeking a review of a pay decision are that the committee or person by whom the decision was made:

- incorrectly applied any provision of the School Teachers' Pay and Conditions Document;
- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; and/or
- otherwise unlawfully discriminated against the teacher.

The procedure that will apply is as follows:

- a) within 10 working days of receiving written notification of the pay decision, the teacher should seek to resolve the matter informally with the Chair of the Pay Review Committee;
- b) where this is not possible within the above timescale or where the teacher does not wish to raise the matter informally or where the teacher continues to be dissatisfied, he or she may follow a formal appeal procedure by writing to the Chair of the Pay Review Committee **setting out the grounds of appeal** within 10 working days of receiving written notification of the pay decision or failing to resolve the matter informally as set out in a);
- c) the Pay Review Committee should hold a hearing within 10 working days of receipt of the appeal letter and give the teacher the opportunity to make representations and be accompanied by a trade union representative or fellow worker if he or she wishes;
- d) following the hearing in c) the teacher will be informed of the decision in writing within 5 working days and, where relevant, notified of his or her further right of appeal;

- e) where the teacher continues to be dissatisfied, he or she is entitled to a final right of appeal by writing to the Chair of Governors **setting out the grounds of further appeal** within 10 working days of receiving written notification of the outcome of the hearing in c);
- f) the Chair of Governors will convene a Pay Review Appeals Committee of at least three non staff governors who were not involved in the original pay decision normally within 20 working days of the receipt of the appeal notification;
- g) at the hearing the teacher will have the opportunity to make representations and be accompanied by a trade union representative or fellow worker if he or she wishes;
- h) following the hearing in g) the teacher should be informed of the final decision in writing within 5 working days including a note of the evidence considered and reasons for the decision. There is no further right of appeal or challenge and the matter cannot be raised again under the Grievance procedure.

The arrangements for an appeal hearing are set out in the 'Procedure for Conducting Staff Appeal Hearings'.

## 8. Support Staff Pay

### 8.1 Arrangements for pay and grading

The national Single Status Agreement of 1997 required all authorities to conduct pay and grading reviews to fully implement equal pay legislation and modernise pay structures. Newcastle City Council adopted the approach recommended by the National Joint Council to provide a fair and transparent grading system based on job evaluation. Phase 2 of Single Status was effective from 1 September 2010.

All community, community special and voluntary controlled schools will implement the new pay and grading structure and terms and conditions provided by the authority's Single Status Agreement.

### 8.2 Recommendation of grade

Governors will exercise their discretion to recommend to the LA an appropriate grade from the LA's grading structure. In doing so, the school will propose a job description reflecting the duties of the post. The LA may make representations to the governing body within 7 days if it has outstanding concerns about the proposal. Therefore governors will not make any offer of appointment/regrading until the LA has had this opportunity. All new posts which have not been previously evaluated will need to be evaluated using the NJC Job Evaluation Scheme

### **8.3 Starting salaries**

Governors will exercise their discretion to select a starting salary at any scale point within the grade for the post.

Appointments will normally be made to the lowest point of the grade, except in the following circumstances (e.g. the employee has been promoted or regraded to a post at a higher grade and would not otherwise receive an immediate pay increase of at least one increment upon appointment, an offer of a starting salary above the minimum is necessary to attract a suitable candidate).

### **8.4 Incremental progression**

Subject to the maximum of the grade being reached, the next increment will be payable on 1 April. This is subject to six months' service in the grade. For new appointments and regradings between 1 October and 31 March, the first increment will be payable after six months' service in the new post.

Governors do not have flexibility within the LA pay structure to accelerate incremental progression for any other purpose,

### **8.5 First aid allowance**

Governors will exercise their discretion to pay an additional First Aid Allowance of £100 per annum to an employee who is designated as a fully trained First Aider responsible for First Aid under the 'LA Code of Practice on General Health and Safety Issues in Schools', unless the duty to provide first aid has been included in the evaluation of the post grade. This payment will be made on a monthly basis initially for the three-year period that the first aid training is valid for.

### **8.6 Temporary promotion to a higher graded post**

Where it is essential for the immediate maintenance of service delivery, support staff may be temporarily appointed (with or without competition) to undertake the duties of a higher graded post that is vacant (because of resignation, sickness, secondment, maternity leave of the post holder etc).

The higher graded post must be one that has been fully evaluated.

This may be from day one of the vacancy in multiples of half days or where the hours aggregate to at least one half day within a week (i.e. 3.5 hours).

A temporary promotion will not be approved until an assessment of need has been carried out by the head teacher or other manager

The temporary promotion will be paid at the grade for the job between N1 and N11 as appropriate, provided that all the duties and responsibilities of the higher graded post are undertaken.

## 8.7 **Honoraria**

The Governing Body will not pay any other form of honoraria to support staff.

## 8.8 **Appeals**

- Grading appeals will result in the whole evaluation being reviewed.

All re-evaluations will be considered by a QA Moderation Panel. The resulting job score will determine the grade for the job. The QA Moderation Panel's decision is final.

## 9. **Confidentiality and Record Keeping**

- Under the Freedom of Information Act 2000 the governing body will publish its pay policy through its scheme of publication.
- Information in relation to pay recommendations, including those related to performance shall remain confidential.
- Records of discretionary pay decisions and any appeals will be retained by the governing body for a minimum period of 6 years from the date of the committee meeting.
- The Pay Review Committee will report its decisions to the full governing body for information. The report will, wherever possible, not contain any information that would enable an individual to be identified.
- Where an employee submits an appeal under this policy that directly relates to evidence from their appraisal, the relevant committee will be provided with access to their planning and review statement upon request.

The school will ensure that staff are notified in writing of any decision affecting their individual pay at the earliest opportunity, and in any event not later than one month, after the decision was made.

## 10. **Monitoring and Review**

- Feedback is encouraged from governing bodies and head teachers on the effectiveness of the model policy provided by the LA. It will be reviewed on an annual basis to ensure it is appropriate in light of recommended best practice and complies with statutory regulations. In the event of any conflict with statutory regulations including the School Teachers' Pay

and Conditions Document, the legal provisions will have precedence over this procedure in all cases.

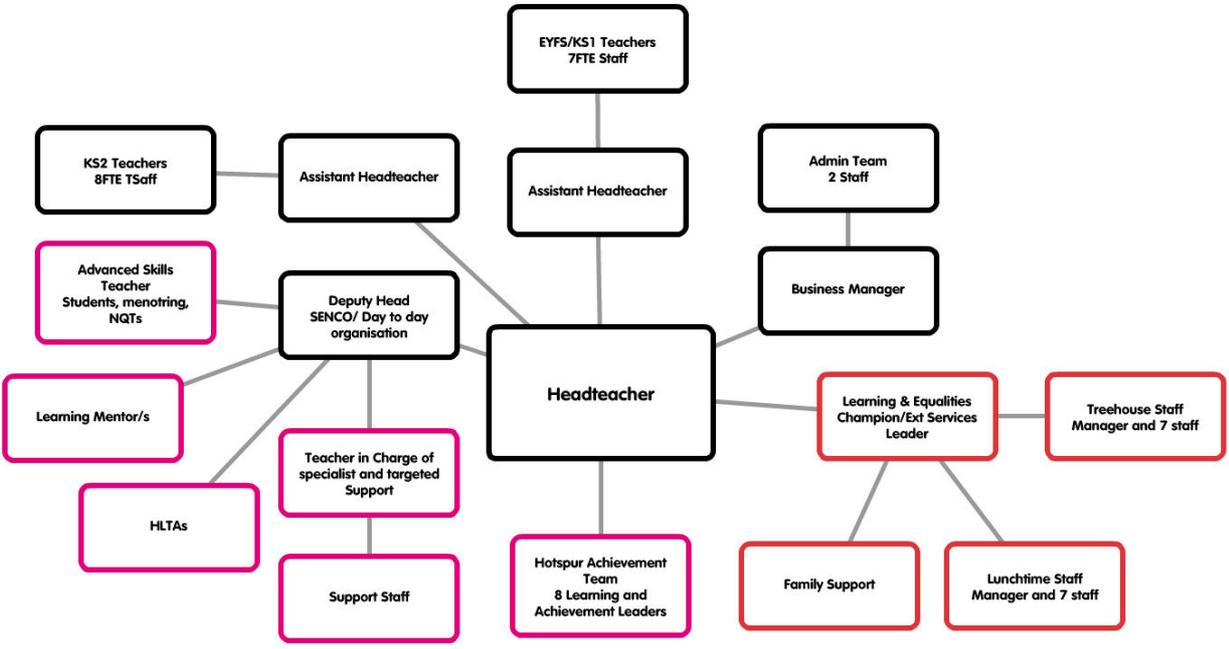
- The governing body will review the school pay policy every school year. It will seek to agree any revisions to the policy with the recognised trade unions having regard to the consultation with all staff.
- Governing bodies should monitor the application of this policy, particularly to ensure that their practices comply with it and are not discriminatory.

## 11. Relationship with other policies and procedures

- **Appraisal Policy:** This sets out the school’s appraisal arrangements for staff. The outcome of appraisals and performance pay recommendations made under those arrangements will be considered by the governing body when making decisions about performance pay for teachers.
- **Procedure for Conducting Staff Appeal Hearings:** This sets out the procedure the governing body should follow if an employee appeals against an individual pay decision made under this policy.
- **School Staffing Review Procedure:** This procedure sets out how the school should proceed if it wishes to review its staffing structure including consultation with staff and trade union representatives. The outcomes of the review in terms of the agreed structure and implementation plan should be included as Annex A of the school’s pay policy.

Revision Record of Published Versions			
Author	Creation Date	Version	Status
HR Services	September 2012	1.0	Model policy approved by Executive Director of Children’s Services
HR Services	May 2013	1.1	Model policy
Amended by	Revision Date		
Heaton Partnership	21 <sup>st</sup> June 2013	2.0	Initial draft for consideration by headteachers
School	1 <sup>st</sup> September 2013	3.0	Draft for consultation with staff and trade union representatives
School		4.0	Final version approved by governing body

# Annex A – School Staffing Structure



## **Annex B – Upper Pay Range Criteria**

### **(1) Professional attributes**

1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

### **(2) Professional knowledge and understanding**

1.2. Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.

1.3. Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

1.4. Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.

1.5. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

1.6. Have sufficient depth of knowledge and experience to be able to give advice on the development and well-being of children and young people.

### **(3) Professional skills**

3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

3.3 Promote collaboration and work effectively as a team member.

3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.