EQUITAS ACADEMIES TRUST

WHOLE SCHOOL PAY POLICY

Review Date: December 2018
To be Reviewed: December 2019
Agreed: F & GP Board
Policy Lead: Zoe Donnelly

WHOLE SCHOOL PAY POLICY

SECTION A – GENERAL INTRODUCTION

1. INTRODUCTION

This policy sets out the framework for making decisions on employees' pay. It has been developed to comply with current legislation[1], the requirements of the School Teachers' Pay and Conditions Document (STPCD), the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service ("Green Book") and in accordance with the principles of public life – objectivity, openness and accountability.

In adopting this pay policy the aim is to:

- achieve excellent outcomes for all students
- support the recruitment and retention of a high quality workforce
- complement the trust's performance management and capability policies which are supportive and developmental and ensures employees have the skills and support to do their job effectively
- enable us to recognise and reward staff appropriately for their contribution to the Trust
- help to ensure that decisions on pay are managed in a fair, just and transparent way
- ensure that there is no pay discrimination in decision making and that decisions are based on evidence and can be justified

Pay decisions at this Trust are made by the Trust Board based on evidence which will be linked to performance management outcomes and other indicators.

This policy has been agreed following consultation with staff. The Trust Board adopted this policy on 7 December 2015 and review it annually.

2. REVIEW OF POLICY

This policy is reviewed annually by the Trust.

[1] Including the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

SECTION B – DETERMINING TEACHERS' PAY

1. BASIC PAY DETERMINATION ON APPOINTMENT

The Headteacher of each Academy will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.

In making such determinations, the Trust may take into account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider Trust context and strategic priorities

Although there is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school, the Trust will determine the appropriate rate of pay for a teacher joining the specific Academy taking account of salary expectations, current salary and the factors set out above.

Depending on prevailing market conditions, the Trust will exercise its reasonable discretion to offer a Market Rate and Retention 'one off' non-consolidated lump sum payment as to incentivise the recruitment, appointment and retention of teaching staff in certain subject areas. Such payment will not exceed a maximum of £3000.

2. PAY REVIEWS

The Headteacher of each Academy within the Trust together with their Senior Leadership Team (SLT) will ensure that each teacher's salary is reviewed annually by no later than 30 November each year or by no later than 31 December each year for Headteachers. Pay increases will be backdated to 1 September of the same academic year.

Salary will also be reviewed if a teacher takes up a new post with effect from the date the post commenced or in other circumstances as required, with effect from the relevant date.

All teachers will be notified in writing within one month of a decision on pay setting out their salary, any payments or other financial benefits awarded, any safeguarding, where a copy of the staffing structure and pay policy may be inspected and any other information required by STPCD.

3. ASSESSMENT OF PAY PROGRESSION

In this Trust all teachers will receive regular feedback on their performance and are subject to an annual performance review. The arrangements for teacher's performance management are set out in the Performance Management and Capability Policies.

Decisions regarding pay progression will be made with reference to the performance management process. A fair and transparent assessment process is in place where decisions are based on evidence.

In this Trust, judgements of performance will be made in relation to performance management outcomes, meeting objectives and, where applicable, the Teachers' Standards.

The evidence used may include, but not be limited to performance management reviews, peer review, tracking pupil progress, lesson observations, the views of pupils and parents.

Teachers' performance management reviews will contain pay recommendations. These recommendations will be reviewed by the Headteacher and senior leadership team of each Academy and will be moderated across the Trust.

Final decisions about whether or not to accept a pay recommendation will be made by the Finance and General Purpose Committee, having regard to the performance management review containing the pay recommendation and the moderation exercise by the Headteacher and senior leadership team of each Academy within the Trust.

Additional progression may be considered in accordance with the criteria set out in this policy.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

Where teaching, progress or compliance with the Teachers' Standards (where applicable) is not meeting expectations the l Headteacher will determine support and if necessary the capability procedure will be used. In such situations there would be no pay progression during that year.

The finance and general purpose committee will consider its approach in the light of the Trust's budget and ensure that appropriate funding is allocated for pay progression at all levels.

4. MAIN PAY RANGE FOR TEACHERS

The main pay range within this Trust is from £23,720 - £35,008 per annum. Within this range this Trust has six reference points which are as follows:

Point	**Annual FTE salary**
Band 1	
1	£23,720
2	£25,594
3	£27,652
Band 2	
4	£29,780
5	£32,126
6	£35,008

Pay progression for main pay range teachers

Eligible main pay range teachers will be automatically considered for progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the performance management process.

Teachers will progress by one point until they reach the top of their range if in the professional judgement of the Headteacher they can demonstrate, and the Trust Boards is satisfied that there is evidence that career expectations are being met relevant to the pay band (see appendix 1).

5. UPPER PAY RANGE FOR TEACHERS

The upper pay range within this Trust is from £36,646 - £39,406 per annum. Within this range this Trust has three reference points which are as follows:

Point	**Annual FTE salary**
Band 3	
1	£36,646
2	£38,004
3	£39,406

Application to be paid on the upper pay range

Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy whilst at main pay range band 2, point 6. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

Applications may be made once a year by no later than 31 October.

Applications should contain evidence from the last two years, should be made in writing using the standard form available from the HR department based at Aston Manor Academy and be submitted to the Headteacher at the relevant Academy.

An application from a qualified teacher to progress on to the upper pay range will be successful where they can demonstrate that they meet not only the Teachers' Standards, but are highly competent in all elements of the standards and that their achievements and contribution are substantial and sustained. In this Trust this means that to achieve progression, the Trust Board must be satisfied that the teacher meets this criteria and there is evidence from the past two years of:

- Teaching which is consistently good with some outstanding features

- Evidence of coaching and supporting colleagues to achieve improved student outcomes
- Acting as a role model for Teaching & Learning
- Have the potential to lead on professional development
- A commitment to personal development and CPD focused on improving outcomes for students
- Highly competent in all areas of the Teachers' Standards
- The contribution at this level must be substantial and sustained.

Evidence must be provided based on the career stage expectations outlined in appendix 1.

The application will initially be assessed by the Headteacher who will moderate all applications. The Local Headteacher will then make recommendations to the finance and general purposes Committee who will make the final decision.

The assessment will usually be made by 30 November.

If successful, applicants will move on to the upper pay range from 1 January and will be backdated to 1 September of that academic year.

Ordinarily a successful teacher will be placed on the bottom of the upper pay range. In exceptional circumstances the Local Headteacher may recommend a higher salary based on:

- the nature of the post and the responsibilities it entails
- the level of qualifications, skills and experience of the teacher
- market forces

If unsuccessful, feedback will be provided by the relevant Headteacher along with confirmation of the process for appeals.

<u>Pay progression for teachers within the upper pay range</u>

Once a teacher has moved on to the upper pay range, if eligible they will be automatically considered for further progression no more than once every two years and no application will be necessary. However pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the performance management process.

Upper pay range teachers will progress by one point, biannually, until they reach the top of the range, if they can demonstrate and the Trust Board is satisfied that there is evidence from the required period of continuing to meet the criteria above.

6. PAY RANGE FOR UNQUALIFIED TEACHERS

The unqualified teacher pay range within this Trust is from £17,208 - £27,216 per annum. Within this range this Trust has six reference points which are as follows:

Point	Annual FTE salary
1	£17,208
2	£19,210
3	£21,210
4	£23,212
5	£25,215
6	£27,216

Pay progression for unqualified teachers

Eligible unqualified teachers will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the teacher's performance with reference to the performance management process.

Judgements of performance will be made in relation to performance management outcomes and meeting objectives. The minimum expectation to achieve pay progression is:

- All objectives met
- Consistently good teaching evidenced throughout the year
- Pupil progress targets achieved for all groups
- Evidence that teacher standards are being met

Additional progression will be considered for unqualified teachers who demonstrate:

- All objectives exceeded
- Consistently outstanding teaching evidenced throughout the year
- Progress targets exceeded in the majority of groups or pupils

7. PAY RANGES FOR LEADING PRACTIONER POSTS

Leading practitioner posts have the primary purpose of modelling and leading improvement of teaching skills. Within this Trust, they will take a leadership role in developing, implementing, and evaluating policies and practice in their workplace that contributes to school improvement. To be appointed to a leading practitioner role, the teacher must:

- Be an exemplar of teaching skills,
- Lead the improvement of teaching skills in the Trust
- Carry out the professional responsibilities of a teacher other than a Headteacher, including those responsibilities delegated by the Local Headteacher.

The pay range for these posts will be determined individually for each leading practitioner post, which may differ to reflect the different demands and challenges of that post. Each individual pay range will be determined within the overall minimum and maximum of the pay range set by STPCD.

Pay progression for leading practitioners

Eligible leading practitioners will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leading practitioner's performance with reference to the performance management process.

Leading practitioners will progress by one point until they reach the top of their range, if they can demonstrate and the finance and general purposes committee is satisfied that they continue to effectively carry out the purpose of the role as set out above and there is evidence of:

- Consistently outstanding teaching
- Evidence of coaching and supporting colleagues to achieve improved student outcomes
- Acting as a role model for Teaching & Learning
- A commitment to personal development and CPD focused on improving outcomes for students
- Highly competent in all areas of the Teachers' Standards

Additional progression may be considered for leading practitioners where performance is judged to be exceptional taking in to account the criteria above and where all objectives have been exceeded. Lead practitioners are paid on the leadership scale.

8. PAY RANGES FOR MEMBERS OF THE LEADERSHIP GROUP

Pay ranges for Headteachers, Deputy Headteachers and Assistant Headteachers will be determined in line with STPCD for new appointments, where responsibilities significantly change or if the Trust chooses to review pay of leadership posts in line with STPCD. The pay range will take into account all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations including the skills and competencies required. Pay ranges will allow appropriate scope for performance related progression over time.

Executive Director – Oversight and Development

The School Teachers' Pay and Conditions Document (STPCD) 2018 does not use the term 'executive director'. However, on page 65 it explains that when a Headteacher is appointed to be permanently responsible and accountable for more than one school, the Trust should base the determination of the Headteacher group on the total number of pupil units across all schools, which will give a group size for the Trust. Therefore the appropriate salary for an Executive Director will be determined by the combined group size of the Academies within the Trust.

The Executive Director salary will not normally exceed the combined group size for the Academies within the Trust unless there are specific exceptional circumstances or the candidate warrants it, up to an additional 25%. Where exceptional circumstances warrant an additional payment this will be agreed with the Trust Board.

Headteachers

The Academy will be assigned to a Headteacher group calculated using its total unit score, in accordance with STPCD.

A pay range will be determined for the Local Headteacher which will not normally exceed the maximum of the Headteacher group, unless there are specific exceptional circumstances or the candidate warrants it, up to an additional 25%.

Additional payments may be made to a Local Headteacher for temporary responsibilities that are in addition to the duties taken in to account for the determination outlined above. The total sum of any temporary payments will not normally exceed 25% of the Local Headteacher's annual salary.

In addition, the total sum of annual salary combined with any temporary payments (where applicable) will not exceed the maximum of the Headteacher group, by more than 25%. Where this or exceeding the limits set out above are being considered by the Finance and General Purposes Committee of the Trust Board, there must be wholly exceptional circumstances and that committee must make a business case to the Full Trust Board who will seek external independent advice.

Deputy Headteachers and Assistant Headteachers

A pay range will be determined for any Deputy Headteacher and Assistant Headteacher, considering how the role fits within the wider leadership structure of each Academy within the Trust. The pay range will not exceed the maximum of the Headteacher group for the Trust and will not normally overlap with the pay range of the Local Headteacher, except in exceptional circumstances.

Pay progression for members of the leadership group

Eligible members of the leadership group will be automatically considered for further progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the leadership group member's performance with reference to the performance management process.

Leadership group members will progress by one point every two years until they reach the top of their range if they can demonstrate and the Trust Board is satisfied that there is evidence of sustained high quality of performance in the relevant Academy leadership and management and pupil progress, clearly linked to school improvement priorities and outcomes. The group size for this Trust is seven.

Additional progression may be considered for members of the leadership group where performance is judged to be exceptional taking in to account the criteria above and where all objectives have been exceeded.

9. TEACHING AND LEARNING RESPONSIBILITY (TLR) PAYMENTS

In this Trust we pay TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of the staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable. The award is made whilst the teacher remains in the same post or occupies another post in the absence of a post-holder.

Current values are as follows in accordance with the staffing structure:

TLR1a	£ 7,853
TLR1b	£ 9,662
TLR1c	£ 11,473
TLR1d	£ 13,288
TLR2a	£ 2,721
TLR2b	£ 4,530
TLR2c	£6,646

In addition we may award a fixed-term TLR3 to a classroom teacher for time-limited, clearly defined school improvement projects, or one-off externally driven responsibilities. The annual value of a TLR3 will be no less than £540 and no greater than £2683

10. NEWLY QUALIFIED TEACHERS (NQTs)

In the case of NQTs pay decisions will be made by means of the statutory induction process.

11. PART TIME TEACHERS

Teachers who work less than a standard working week are deemed to be part time. Their hours and working time obligations will be set out in their contracts of employment and in line with the provisions of STPCD. The pay of part time teachers will be determined in the same way as full time teachers and any increase in pay will be paid pro rata to full time equivalent salary rates.

12. SHORT NOTICE/SUPPLY TEACHERS

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata. They will be paid the agreed rate for the job and are not subject to the performance management process.

13. PAY PROTECTION

Pay protection arising from changes to pay and structure will be in line with the provisions of STPCD.

14. ABSENCE AND PAY PROGRESSION

Employees who are absent long term (including but not limited to maternity leave and long term sick leave due to a disability) are still eligible to be considered for pay progression.

The Trust will take into account the criteria set out in this policy, but use the period of time prior to the employee commencing their period of absence. In most cases this will be the preceding year or two years for progression on to the upper pay range. If there is sufficient time for assessment in the current cycle, that period may also be considered.

15. APPEALS

The steps of the pay appeals process perform the function of the grievance procedure on pay matters and so employees will not be able to raise the complaint under the Trust grievance procedure following conclusion of a pay appeal.

Employees may be represented by a recognised trade union or colleague at any formal stage of this procedure. The employee is responsible for making these arrangements and for providing their representative with any paperwork they require for the hearing. The teacher should inform the clerk to the Trust Board who their chosen companion is, in good time before the hearing.

Informal discussion

As part of the normal salary review process, the Local Headteacher will inform the teacher of the pay decision. Upon receipt of written notification of the pay decision, if the teacher is dissatisfied they should first discuss the decision with the Local Headteacher within five working days of receipt of the notification.

This discussion gives an opportunity for a teacher to discuss the decision on their pay, to gain an understanding of why the pay recommendation and decision were made and to resolve issues quickly and informally. If this does not resolve an issue, a teacher may follow the formal procedure set out below.

Stage One

If, following discussion with the Headteacher, the teacher remains dissatisfied, they can make a formal appeal in writing within five working days of the discussion with the Headteacher to the committee who made the decision. The possible grounds for appeal are:

- incorrectly applied any provision of the STPCD;
- 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; or
- unlawfully discriminated against the teacher.

Appeals against pay decisions should be made in writing and addressed to the finance and general purposes Committee who made the pay decision of the Trust Board stating the grounds of their appeal in accordance with the above.

A meeting to consider the appeal will be arranged as soon as is practically possible. The employee will be invited in writing, giving a minimum of five days' notice and copies of any relevant documents to be considered at the meeting will be enclosed.

The teacher will have the opportunity to make representations to the finance and general purposes Committee panel or their representative and a school representative will also attend to present the management case. A note taker will also be present.

The panel or their representative will review their decision and will confirm the outcome in writing to the teacher within five days.

Stage Two

If a teacher wishes to appeal against the decision made at Stage One, they may do within five working days of the written decision on the grounds that the finance and general purposes committee who made the decision:

- incorrectly applied any provision of the STPCD;
- 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; or
- unlawfully discriminated against the teacher.

Appeals against the decision at Stage One should be made in writing and addressed to the Clerk to the Trust Board stating the grounds of their appeal in accordance with the above.

Upon receipt an appeals panel of three different trustees who have not been involved in the original decision will convene a meeting to consider the appeal as soon as is practicably possible. The employee will be invited in writing, giving a minimum of five days' notice and copies of any relevant documents to be considered at the hearing will be enclosed.

The teacher will have the opportunity to make representations to the appeals panel and a representative of the original decision making panel will also attend. A note taker will also be present.

The decision of the panel will be confirmed in writing to the teacher within ten days. The appeal panel's decision is final; there is no further right of appeal.

SECTION C – DETERMINING SUPPORT STAFF PAY

1. PAY REVIEWS

The Trust Board will ensure that each member of support staff's salary is reviewed annually with effect from 1 September if eligible.

2. SALARY SCALES

The salary scales used will be in accordance with the Green Book. However, any new staff with effect from 1 September 2018 will be subject to new pay scales which have a threshold band at the top of each grade within the scales. New appointments will be placed below this threshold. Once the threshold is reached support staff will have to apply to pass the threshold point within the scale. The threshold area is 3 points at the top of each grade.

3. JOB DESCRIPTIONS

The Local Headteacher in conjunction with the line manager of the role will ensure that an up to date job description is available for each post which identifies the appropriate duties.

The job description will be reviewed as appropriate or when duties or responsibilities have changed and it will be amended to reflect the current role; although it should be recognised that job descriptions are not intended to list all tasks. An employee may request changes to their job description if they feel their duties or responsibilities have changed significantly. If appropriate, consideration may be given to whether the grade for the post should be re-determined and if it is, the post holder will be paid the new grade from a date determined by the Local Headteacher. If the assessment results in a lower grade, the employee may be entitled to salary protection in accordance with their terms and conditions of employment.

4. BASIC PAY DETERMINATION ON APPOINTMENT

The Trust will determine the grade for a vacancy prior to advertising it which will be identified on the job description. On appointment the Local Headteacher together with the Business Manager will determine the appropriate point within the grade to be offered to the successful candidate (which will usually be the bottom point of the grade). However in making such determinations, this may take in to account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider Trust context and strategic priorities

5. PAY PROGRESSION

Eligible support staff will be automatically considered for progression and no application will be necessary. However annual pay progression within the range is not automatic and decisions regarding pay progression will be clearly attributable to the support staff's performance with reference to the performance management process.

Support staff will progress by one point until they reach the top of the range, before the threshold point, if in the professional judgement of the Business Manager they can demonstrate that they have passed their performance management targets and are working to their job description.

Additional progression may be considered for those support staff who in the professional judgement of the Local Headteacher can demonstrate and the Trust Board is satisfied that there is evidence of:

- Consistently "outstanding" performance
- Successful leadership of a whole school / departmental / phase initiative where impact can be evidenced

6. HONORARIA

An honorarium may be paid on a temporary basis where an employee is offered and agrees to:

- undertake higher level work in addition to their normal duties
- 'act up' for at least four weeks in to a higher graded post which has become temporarily vacant, for example, due to sick leave

The Local Headteacher / Business Manager will determine the amount of this payment. Where the employee is undertaking higher level work not equivalent to a higher graded post, a fixed sum will be agreed. Where the employee is acting up and if carrying out the full responsibilities of the role, the payment will usually be the difference between the minimum point of the higher graded role and their current salary.

The employee will return to their substantive post and salary when they are no longer required to undertake the higher level work or 'act up'.

This should usually only be a temporary solution and the Local Headteacher should consider whether it may be more appropriate to advertise the post or duties on a fixed term basis.

7. APPEALS

A member of support staff has the right to appeal against a decision that affects their pay. The principles of the appeals process for teachers apply (set out in Section B, paragraph 16) however the Green Book replaces STPCD at 15.5(a) and 1.10(a).

Date of next review: September 2019

Career Expectations

Name **Current Pay point** **Date** **School/self-assessment**

PROFESSIONAL AREA	RELEVANT TEACHER STANDARDS	Band 1 M1-M3 TEACHER	Band 2 M4-M6 ACCOMPLISHED TEACHER	Band 3 U1-U3 OUTSTANDING TEACHER
PROFESSIONAL PRACTICE	1.1(1); 1.2 (2,3,5) 1.3 (1,3) 1.4)1,2,3) 1.5 all 1.6 (1) 1.7 (1,2,3) 1.8 (3) 2.1 (2,4) Preamble	• Observations and teaching over time are mostly good.	• Observations and teaching over time are consistently good with some outstanding features.	• All observations and teaching over time are consistently good and some outstanding.
PROFESSIONAL OUTCOMES	1.1 (2) 1.2 (1,2,3) 1.5 (1) 1.6 (3,4) Preamble	• Almost all students in all taught groups make expected levels of progress.	• Almost all students in all taught groups make expected levels of progress and some exceed.	• Almost all students in all taught groups achieve expected levels of progress and many exceed.
PROFESSIONAL RELATIONSHIPS	1.1 (1) 1.6 (4) 1.7 (4) 1.8 (2,3,5) 2.1 (1,3,4) Preamble	• Builds effective and flexible relationships with all members of the school community.	• These working relationships result in good progress by all groups of students and productive sharing of professional practice with others.	• Working relationships with colleagues are characterised by an enthusiastic commitment to helping then overcome professional challenges.
PROFESSIONAL DEVELOPMENT	1.1 (3) 1.7 (1) 1.8 (1) 2.1 (all) 2.2 2.3 Preamble	• Actively seeks professional development and responds positively to advice and feedback.	• Takes a pro-active role in their own professional development and keep up to date with any changes in practice.	• Plays a proactive role in leading professional development and is involved in mentoring/coaching other members of staff.
PROFESSIONAL CONDUCT	1.1 (3) 1.7 (1) 1.8 (1) 2.1 (all) 2.2 2.3 Preamble	**Meet the standards for professional conduct set out in the Teachers' Standards**	**Meet the standards for professional conduct set out in the Teachers' Standards**	**Meet the standards for professional conduct set out in the Teachers' Standards**