

Teachers' Pay Policy

Queen Elizabeth Grammar School Penrith



Approved by Governors' F&P Committee: 13.11.2017

Chair of Governors: T Castles

Date: 13.11.2017

A handwritten signature in black ink, appearing to read 'T Castles', written in a cursive style.

Headteacher: P Buckland

Date: 13.11.2017

A handwritten signature in black ink, appearing to read 'P Buckland', written in a cursive style.

Policy for determining teachers' pay

INTRODUCTION

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) and has been consulted on with staff and/or the recognised trade unions.

The current STPCD document can be found at: <https://www.gov.uk/government/publications/school-teachers-pay-and-conditions> All figures referred to in this document will be updated annually.

In adopting this pay policy the aim is to:

- *maximise the quality of teaching and learning at the school*
- *support the recruitment and retention of a high quality teacher workforce*
- *enable the school to recognise and reward teachers appropriately for their contribution to the school*
- *help to ensure that decisions on pay are managed in a fair, just and transparent way.*

Pay decisions at this school are made by the Governing Body, supported by guidance and recommendations from the Headteacher.

1. PAY REVIEWS

The Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1st September and no later than 31st October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

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. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

2. BASIC PAY DETERMINATION ON APPOINTMENT

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

In making such determinations, the Headteacher 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 school context.*

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

3. PAY PROGRESSION BASED ON PERFORMANCE

In this school, all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisals that recognise their strengths, informs them of plans for their future development and helps to enhance their professional practice. The arrangements for teacher appraisals are set out in the school's appraisal policy.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations that they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. In this school, we will ensure fairness by undertaking a rigorous quality assurance and moderation process of documentation and judgements. This will be carried out by the Senior Leadership Team and a report made to the Governing Body on an annual basis. We will minimise the impact on workload for individual teachers, line managers and Headteachers throughout the process.

The evidence we will use will include: self-assessment; peer review; tracking pupil progress; lesson observations, and feedback from stakeholders.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Governing Body, having regard to the appraisal report and taking into account advice from the Senior Leadership Team. The Governing Body will consider its approach in light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels.

In this school, judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to the whole school objectives and the effectiveness of the school in delivering its goals.

4. MOVEMENT TO THE UPPER PAY RANGE

Applications and Evidence

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. It is the responsibility of the teacher to decide whether they wish to apply to be paid on the upper pay range.

Applications may be made at least once a year at the start of the academic year before the appraisal process is concluded in the autumn term. The application should be made in writing using the request form included at Appendix 2.

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 upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

All applications should include the results of reviews or appraisals under the 2011 or 2012 regulations, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence to demonstrate that the applicant has met the assessment criteria). Applications should contain evidence from the two most recent appraisal cycles. These need not be from consecutive years if there has been a break of service.

The Assessment

An application form from a qualified teacher will be successful where the Governing Body is satisfied that:

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

For the purposes of this pay policy:

- 'highly competent' means: performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school in order to help them meet the relevant standards and develop their teaching practice
- 'substantial' means: of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning and
- 'sustained' means: maintained continuously over a long period eg. at least two academic years.

The application will be assessed by the Headteacher within 10 working days of the receipt of the application or the conclusion of the appraisal process, whichever is the later. The Governing Body will make the final determination based on advice given by the Headteacher.

Processes and procedures

The assessment will be made by the Governing Body at the earliest opportunity. The applicant will receive a response to their application.

If successful, applicants will move to the upper pay range from the start of the academic year. The Governing Body will decide where on the upper pay range a successful teacher is placed.

If unsuccessful, feedback will be provided by the Headteacher within 10 working days of this decision.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements.

5. PART-TIME TEACHERS

Teachers employed on an ongoing basis at the school, but who work less than a full working week, are deemed to be part-time. The Governing Body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

6. 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.

7. LEADERSHIP TEACHERS (HEADTEACHER, DEPUTY & ASSISTANT HEADTEACHERS) APPOINTED ON OR AFTER 1ST SEPTEMBER 2014, OR WHOSE RESPONSIBILITIES HAVE SIGNIFICANTLY CHANGED AFTER THAT DATE

The Governing Body will set the pay level needed to attract a Headteacher, Deputy Headteacher or Assistant Headteacher. Prior to advertising the post the following stages will be undertaken:

- Stage 1: Define the role and determine the Headteacher group (using the pupil unit calculations within the STPCD)
- Stage 2: Set an indicative pay range within the statutory minimum and statutory maximum, then, when in a position to make an appointment
- Stage 3: Decide the starting salary and individual pay range for the appointee.

The governors have decided that this school is currently a Group 6 school, based on the statutory requirements of the STPCD.

8. UNQUALIFIED TEACHERS PAY RANGE

The Governing Body has established a pay range for unqualified teachers employed in classroom teacher posts. The role should take on a sustained additional responsibility which is focused on teaching and learning, and requires the exercise of a teacher's professional skills and judgment, or qualifications or experience which bring added value to the role being undertaken.

9. DISCRETIONARY ALLOWANCES AND PAYMENTS

TLR1, 2 &3

The Governing Body may award a TLR payment to a classroom teacher for undertaking a substantial additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which that teacher is made accountable. Unqualified teachers may not be awarded TLRs. Payments will be made in accordance with the ranges specified in the STCPD.

Before awarding a TLR1 or 2 payment, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- a. is focused on teaching and learning;
- b. requires the exercise of a teacher's professional skills and judgment;
- c. requires the teacher to lead, manage and develop a subject or curriculum area, or to lead and manage pupil development across the curriculum;
- d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e. involves leading, developing and enhancing the teaching practice of other staff.

As an academy operating under National Teachers' Pay and Conditions as a minimum, Governors recognise:

- f. the responsibility and workload of Heads of Departments not eligible for TLRs as set out above (eg. single teacher A Level subjects) and will allocate them a TLR;
- g. the benefits of sharing whole school responsibilities amongst more teaching staff than those in the Leadership Group and will award TLRs to staff who are co-ordinating whole school responsibilities;
- h. a teacher may hold two separate TLRs simultaneously (eg. one for a Head of Department responsibility and one for a whole school or pastoral responsibility) provided their total salary does not exceed £1,000 less than the salary of the lowest paid member of the Senior Leadership Team.

In addition, before awarding a TLR1 payment, the Governing Body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people.

Before making any TLR3 payment, the Governing Body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time-limited school improvement projects or one-off externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

10. SEN ALLOWANCE

The Governing Body will award SEN allowances in accordance with the criteria and provisions set out in the STPCD.

11. OTHER PAYMENTS

The Governing Body may make such payments as they see fit to a teacher, in respect of:

- a. continuing professional development undertaken outside the school day which has been approved by the Headteacher;
- b. activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- c. participation in out-of-school hours learning activities agreed between the teacher and the Headteacher; or
- d. additional responsibilities and activities due to, or in respect of, the provision of services by the Headteacher relating to the raising of educational standards to one or more additional schools.

12. RECRUITMENT AND RETENTION INCENTIVES AND BENEFITS

The Governing Body will make a payment which it considers necessary as an incentive for the recruitment of new teachers and the retention of existing teachers. The duration/review date/ end date of such a payment will be clearly defined.

The Headteacher and others on the Leadership range may not be awarded payments under this category except for reimbursement of reasonably incurred housing or relocation costs on appointment.

Such payments will be reviewed annually and the payment will be set out clearly and openly shared with all Professional Associations. Please refer to the guidance within the STPCD.

13. SALARY SACRIFICE ARRANGEMENTS

Queen Elizabeth Grammar School Penrith makes provision for a teacher to give up the right to receive part of their gross salary in return for the agreement in kind (and that benefit in kind is exempt from income tax) under schemes such as:

- a. childcare vouchers;
- b. cycle scheme.

14. SAFEGUARDING (pay protection)

The Governing Body will operate salary safeguarding arrangements in line with the provisions of the STPCD.

15. APPEALS

The arrangements for considering appeals on pay determination are set out in Appendix 3 of this policy.

16. OTHER PAYMENTS

Continuing Professional Development outside directed time; Initial Teacher Training activities; and out-of-school learning activities

The Governing Body may make discretionary, additional payments to teachers who agree to undertake such activities. Additional payments will be calculated at a daily or hourly rate with reference to each teacher's actual pay spine position or, where appropriate and following consideration by the Pay Committee, at a higher level reflecting the responsibility and size of the commitment.

The Governing Body recognises that such activities outside of directed time are entirely voluntary and that some teachers' commitments will make it difficult for them to undertake such activities. Where teachers cannot attend CPD organised outside the school day, the school will endeavour to offer suitable alternative training arrangements within directed time in line with its commitment to equal opportunities.

Honoraria

The Governing Body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher, recognising that there is no provision within the STPCD for the payment of bonuses or honoraria in any circumstances.

17. MONITORING THE IMPACT OF THE POLICY

The Governing Body will monitor the outcomes and impact of this policy on an annual basis, which will be shared with union representatives. An annual written report on the operation of the pay policy, recording pay decisions taken and equality impact, will be provided to union representatives, including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation.

APPENDIX 1

REMIT FOR THE FINANCE & PAY COMMITTEE OF THE GOVERNING BODY

The F&P Committee will comprise of at least three governors. All governors, including those employed at the school, will be eligible for membership of the F&P Committee and will be eligible to take part in any discussions (including those relating to individuals) where their interest is no greater than that of the generality of employees at the school.

Establishment of the policy

The F&P Committee is responsible for:

- establishing the policy, in consultation with the Headteacher, staff and trade union representatives, and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- formal approval of the policy.

Monitoring and review of the policy

The F&P Committee is responsible for:

- reviewing the policy annually, in consultation with the Headteacher, staff and trade union representatives and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

- considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy.

Application of the policy

The Headteacher is responsible for:

- ensuring that pay recommendations for the Deputy and Assistant Headteacher(s), classroom teachers and support staff are made and submitted to the F&P Committee in accordance with the terms of the policy
- advising the F&P Committee on these decisions
- ensuring that staff are informed of the outcome of the decisions and of the right of appeal.

The F&P Committee is responsible for:

- reviewing recommendations and making a decision regarding the pay of the Deputy and Assistant Headteacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the Headteacher
- reviewing recommendations and making a decision regarding the pay of the Headteacher following consideration of the recommendations of the governors responsible for the Headteacher's performance reviews
- receiving reports of these decisions from the Governing Body and
- ensuring that Headteacher is informed of the outcome of the decision(s) and of the right of appeal.

The Appeals Committee of the Governing Body is responsible for:

- taking decisions on appeals against the decisions of the F&P Committee in accordance with the terms of the appeals procedure of the policy.

APPENDIX 2

Request for Threshold Assessment

Academic Year: _____

This form should be handled In Confidence at all times.

Eligibility criteria

In order to be assessed you will need to:

- hold Qualified Teacher Status on the date of your request
- be statutorily employed under the STPCD
- normally be at the top of the Qualified Teachers Pay Range
- be highly competent in all elements of the relevant standards
- achievements and contribution to the school should be substantial and sustained.

In this form the term 'school' should be taken as including all such settings. Teachers not working in schools should substitute 'service manager' or 'line manager' wherever 'Headteacher' is used.

- Please enclose copies of your appraisal reports and/or planning and review statements that relate to the 2 academic years immediately prior to the date on which you submit your request
- Print, sign and date the form, keeping a copy and pass it to your Headteacher / line manager by **31st October in the year of application.**

Part 1: Teacher details

To be completed by the teacher

Personal details

Surname

First name(s)

Previous surname (if applicable)

DfE or GTC (Wales) teacher reference number (this must be seven digits including zeros)

--	--	--	--	--	--	--

 /

--	--	--	--	--	--	--

Please give details if you are submitting appraisal reports or performance management statements from another school

Name and address of school/LA	Date(s) of employment	Name of Headteacher/ service manager

Declaration by the teacher

I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or performance management statements covering the two year period prior to this request for assessment against the post-Threshold standards.

Signed

Date

Part 2: Actions for the Headteacher

- Before assessing whether the teacher meets the post-threshold standards the Headteacher must first be satisfied, on the basis of the evidence contained in the appraisal reports and planning and review statements, that the teacher meets the Teachers' Standards to a highly competent level as stated in section 4. If these conditions are not met, you must not proceed with the post-threshold assessment, and must write to the teacher setting out the rationale for the judgement.
- Complete the Headteacher's statement.
- Sign, date and copy the form.
- Promptly inform the Governing Body of this decision, inform the teacher, and notify the appropriate body that deals with payroll matters for the school.
- Inform the teacher of the outcome within 15 working days of informing the Governing Body of this decision.
- Notify the teacher in writing of the outcome of the post-threshold assessment; provide written feedback and a copy of the attached form.

To be completed by the Headteacher / CET Line Manager

Name of teacher

School/LA service

Please record your overall judgements below.

Post-Threshold Standards

Please provide a detailed explanation why, in your judgement, all the post-Threshold standards have been met / not yet been met throughout the relevant period.

Please indicate any further areas of professional development for the teacher if required.

Teachers' Standards/Threshold Standards [please delete as appropriate] not met.

Signature

Please paste in electronic/scanned signature above if submitting the application form electronically.

Print name

School name / LA Setting

Date

NB This page should be passed back to the teacher

PART 3: Acknowledgement of receipt of request for Post-Threshold Assessment

Date: _____

Dear (insert teacher's name)

I acknowledge receipt of your request for assessment against the post-threshold standards and confirm that I have received all the associated documents to enable the process to be completed.

You will be informed about the outcome of the assessment and will be provided with written feedback within 15 working days of informing the Governing Body / CET Steering Group of the decision.

Signed

Headteacher

APPENDIX 3

Pay Appeals Procedure

The Governing Body is committed to ensuring that appeals against pay decisions meet the requirements of the dispute resolution provisions of employment law.

The process set out below is consistent with the dispute resolution provisions of employment law and may be adopted by the school as the means by which appeals against pay decisions are considered. Teachers may seek a review of any determination in relation to their pay or any other decision taken by the Governing Body (or a committee or individual acting with delegated authority) that affects their pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination:

That the person or committee by whom the decision was made:

- a) incorrectly applied any provision of the STPCD;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, he/she may follow the formal appeals process.
4. The teacher should set down in writing the grounds for questioning the pay decision within ten working days and send it to the Chair of Governors (or committee) who made the determination.
5. The committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
6. Any appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The teacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

For any formal meeting the teacher is entitled to be accompanied by a colleague or union representative. Each step and action of this process must be taken without unreasonable delay. The timing and location of formal meetings must be reasonable. Formal meetings must allow both parties to explain their cases.

The procedure for the conduct of formal meetings shall be as follows:

Introductions

The Chair introduces everyone and what their role is:

- Self as Chair
- other panel member(s) (if applicable)
- employee
- employee representative
- any witnesses for the employee side
- management representative who will state the management case
- any witnesses for the management side
- person who will clerk the meeting
- HR to give advice to the panel

Goes over the order of the hearing:

- Employee will state their case
- Chair asks questions of the employee/employee representative
- Chair invites panel (if applicable) to ask questions
- Management will state their case
- Chair asks questions of the management
- Chair invites panel (if applicable) to ask questions
- Management to sum up and appellant to sum up
- Chair to adjourn hearing to deliberate

The employee case

Employee/representative presents employee case:

- what is the evidence that supports their case
- introduces any witnesses.

Chair asks questions.

Chair opens the discussion to the panel (if applicable).

The management case

Management representative presents management case:

- what is the evidence that supports the disputed pay decision
- introduces any witnesses.

Chair asks questions.

Chair opens the discussion to the panel (if applicable).

Summing up

If appropriate the Chair can clarify the key points on both sides.

End of hearing

Chair ends the hearing and advises employee that he/she will let him/her have the panel's decision in writing within the documented timescale.

Chair advises employee that he/she will have no further right of appeal and that the letter will contain full details.

Decision-making

Clerk notes main points of panel discussion and their decision.

Panel obtains HR advice if required to inform their decision-making.

Communication of decision

Employee is notified of decision.

Decision and reason for the decision confirmed in writing.