



# Model Pay Policy For Solihull Schools

## September 2023

This policy sets out the terms reached by those participating in the Council's Consultation and Negotiation Framework.

**For School's (e.g. some Academies) not participating in the Council's Consultation and Negotiation Framework:** The school must undertake its own negotiation and consultation with the relevant Trade Union/Staff Association Representatives before this policy is adopted by the School Governing Body. Advice is available from the HR provider on how to undertake this, if required.

This Model Pay Policy is provided by the Solihull School's HR Service. However, agreement was not reached on the following:

1. With recognised Trade Unions: NASUWT/NUT/ATL on the issue of Pay Portability; **Option A** in this policy has **not** been agreed; **Option B** has been agreed.
2. Where Schools/Academies deviate from the recommendations in this policy (such areas are highlighted in yellow) they must undertake local consultation with staff and recognised Trade Union representatives.

**Sections highlighted in yellow require Governing Bodies, to make a decision on their approach to the particular matter referred to or insert particular details relating to their School/Academy.**

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- Appendix 1 School Staffing Structure 2023/24



*\*For the purposes of this Policy, this will be referred to as “The Pay Committee”.*

**1.8** The school staffing structure is published as an Appendix to this Policy. Any subsequent changes to the staffing structure will be subject to consultation.

**1.9** References to specific paragraphs in “STPCD” refer to the School Teachers’ Pay and Conditions Document 2023

## **2. The Aim of the Policy**

In adopting this Pay Policy the aim is to:

- achieve excellent outcomes for all pupils.
- support the recruitment and retention of a high-quality Teacher workforce;
- complement the school’s appraisal policy which is supportive and developmental, and ensures Teachers have the skills and support to do their job effectively.
- 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;
- ensure there is no pay discrimination in decision-making and that decisions are based on evidence and can be justified.
- take steps to reduce unnecessary bureaucracy in the pay and appraisal processes.

See ‘Governing Body Obligations’ (Section 6) in relation to monitoring the impact of this Policy.

## **3. Job Descriptions**

The Head Teacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Governing Body. Job descriptions will identify key areas of responsibility and may be reviewed in consultation with the individual employee. TLR post holders will have documented and clearly defined responsibilities associated with the duties the TLR is attached to, as part of their Job Description, or as a separate Job Description.

## **4. Access to Records**

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

It is good practice to ensure all teachers are provided with access to an up-to-date copy of the school’s policies that apply to pay and appraisal.

## **5. Appraisal**

The Governing Body will comply with The Education (School Teachers’ Appraisal) (England) Regulations 2012 concerning the appraisal of Teachers.

The School’s Appraisal Policy can be accessed via the school’s extranet site.

## **6. Governing Body Obligations**

**6.1** The Governing Body will fulfil its obligations to:

- **Teachers** - as set out in the School Teachers’ Pay and Conditions Document (“STPCD”) and the Conditions of Service for School Teachers in England and Wales (commonly known as the ‘Burgundy Book’).

- **Support Staff** - the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book), or any LA pay/grading system, where these documents have not been superseded by legislation.
- 6.2** The Governing Body will consider advice offered by the Local Authority (LA) before making any decisions on pay discretion and will be sensitive to the impact of its decisions on our own and other schools. The Governing Body will follow the advice/guidelines of the LA on any national and/or local pay and conditions agreements (e.g. single status). The reason for any departure from the advice offered by the LA will be identified objectively and clearly documented, and subject to the appropriate level of TU consultation. The Governing Body will ensure that all staff are made aware of the existence of this policy and have ready access to a copy of it.
- 6.3** The Governing Body will ensure that appropriate arrangements for linking appraisal to pay are in place for both teaching and support staff, can be applied consistently and that their pay decisions can be objectively justified.
- 6.4** The Governing Body is responsible for ensuring appropriate documentation is in place to record appraisal and pay decisions. Templates are provided in the Pay Policy Guidance Document to assist with this process. These may be adapted as necessary to record signatures of those involved in the appraisal process according to the structure of the school.
- 6.5 The Governing Body will ensure that it makes funds available to support pay decisions, in accordance with this Pay Policy (see 'Procedures') and the school's spending plan.**
- 6.6** The Governing Body will monitor the outcomes and impact of this Policy on an annual basis, in conjunction with the appropriate level of Trade Union representation, including trends in progression across specific groups of Teachers, to assess its effect and ensure the school's continued compliance with equalities legislation (as set out in Section 1.2 of this Policy). To assist with the development of the Pay Policy and associated best practices, the Governing Body, through the Head Teacher, will ensure a transparent and informed monitoring process.
- 6.7** The Governing Body are responsible for ensuring all line managers in the school undertaking appraisal of teachers or support staff are appropriately trained.

## **7. Head Teacher Obligations**

The Head Teacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and School Union Representatives on the Appraisal and Pay Policies.
- submit any updated Appraisal and Pay Policies to the Governing Body for approval.
- ensure that effective appraisal arrangements (including appropriate time to conduct meetings) are in place and that any appraisers have the training, knowledge, and skills to apply procedures fairly.
- submit pay recommendations to the Governing Body and ensure the Pay Committee has sufficient information upon which to make pay decisions.
- ensure that Teachers are informed about decisions reached (including reasons for decisions made), by no later than 31<sup>st</sup> October in the relevant year, and that records are kept of recommendations and decisions made.
- ensure that all those individuals undertaking appraisal of teachers, or support staff, are appropriately trained.

## **8. A Teacher's Obligations**

A Teacher will:

- Engage with appraisal - this includes working with their appraiser to ensure that there is a secure evidence base for an annual pay determination to be made.
- Keep records of their objectives and review them throughout the appraisal process.
- Share any information they consider relevant for their performance with their appraiser.

## **9. Differentials**

Governing Bodies should have a consideration of recognising accountability and job weight, in order to assist in attracting and recruiting good candidates and retaining and motivating sufficient employees of the required quality at all levels. The Governing Body also recognises the impact their decisions may have on other Solihull schools. Where it is considered that there are circumstances at [Name of] School to justify a position which varies from the advice given by the LA, the reason for that decision will be clearly documented, including the preparation of a job description and person specification for each post.

## **10. Advertising Arrangements**

Full information about vacant or promoted posts, both permanent and, where practical, temporary posts, will be made known to staff, in accordance with the School Appointments Procedures, in time for them to apply for posts for which their experience and qualifications are appropriate.

## **11. Discretionary Pay Awards**

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

## **12. Safeguarding**

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

## **13. Procedures**

**13.1** The Governing Body will determine the annual pay budget on the recommendation of the Pay Committee, considering the STPCD. In the case of Teachers on the Upper Pay Range (UPR), annual pay progression is based on 2 successful performance management cycles.

**13.2** Where the Governing Body has delegated its pay powers to the Pay Committee. Any person employed to work at the school, other than the Head Teacher, must withdraw from a meeting at which the pay or appraisal of any other employee of the school is under consideration. The Head Teacher must withdraw from that part of the meeting where the subject of consideration is his/her own pay. A relevant person must withdraw where there is a conflict of interest, or any doubt about his/her ability to act impartially.

**13.3** No member of the Governing Body who is employed to work in the school is eligible for membership of the Pay Committee.

**13.4** Where the Pay Committee has invited either a representative of the LA, or the external adviser, to attend and offer advice on the determination of the Head Teacher's pay,

that person will withdraw while the Pay Committee reaches its decision. Any other member of the Pay Committee required to withdraw will do so where a possible conflict of interest arises.

**13.5** The Terms of Reference for the Pay Committee will be determined from time to time by the Governing Body (see the Pay Policy Guidance for a full model version of the Pay Committee Terms of Reference). As a minimum, the recommended considerations within the terms of reference are to:

- achieve the aims of the whole school Pay Policy in a fair and equal manner.
- apply the criteria set by the whole school Pay Policy in determining the pay of each member of staff, following consideration of the recommendations made by the reviewers at the annual review.
- observe all statutory and contractual obligations.
- clearly minute the reasons for all decisions and report the fact of these decisions to the next meeting of the full Governing Body;
- recommend to the Governing Body the annual budget needed for pay progression for all eligible Teachers.
- keep abreast of relevant developments and advise the Governing Body when the school's Pay Policy needs to be revised.
- work with the Head Teacher in ensuring that the Governing Body complies with the Performance Management/Appraisal and appropriate legislation.

**13.6** The report of the Pay Committee will be placed in the confidential section of the Governing Body's Agenda and will either be received or referred back. Reference back may occur only if the Pay Committee has exceeded its powers under the Policy.

## **14. Annual Determination of Pay**

**14.1** All teaching staff salaries, including those of the Head Teacher, Deputy Head Teacher, and Assistant Head Teacher, will be reviewed annually, to take effect from 1<sup>st</sup> September, in conjunction with the school's Appraisal Policy. The Governing Body will ensure the completion of Teachers' annual pay reviews by 31<sup>st</sup> October and the Head Teacher's annual pay review by 31<sup>st</sup> December. They will, however, complete the process without undue delay and with regard to Section 20.2.6 of this Policy in relation to situations where Teachers may not receive a pay increase.

*See the Pay Policy Guidance for model pro-forma to assist in recording pay decision outcomes.*

## **15. Notification of Pay Determination**

Decisions will be communicated to each member of staff by the Head Teacher, in writing, in accordance with Part 1 of the STPCD, setting out the reasons why decisions have been taken and the Right of Appeal (including timescales). Decisions on the pay of the Head Teacher will be communicated by the Pay Committee, in writing, in accordance with Part 1 of the STPCD. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an Appeal has passed, or immediately after an Appeal has been concluded.

## **16. Appeals Procedure**

The Governing Body must have an Appeals Procedure in relation to pay, in accordance with the Pay Policy Guidance, or an agreed equivalent procedure. Appeals against pay decisions should follow the three-stage procedure outlined in the Pay Policy Guidance Document. This procedure highlights that employees have the right to be represented by a recognised Trade Union Representative or work-place colleague. The decision of the Panel will be confirmed in writing. There is no further right of appeal.

## 17. Head Teacher Pay

### 17.1 Pay on Appointment

For appointments on or after 1<sup>st</sup> September 2023, the Governing Body will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the Head Teacher in accordance with Part 2 of the STPCD.

- The Pay Committee will determine the school's Head Teacher group and the Head Teacher's individual pay range, in accordance with the STPCD, paragraph 6 (mainstream schools), or paragraph 7 (special schools). This is set out in the current Pay Policy Guidance Document, Appendix 7. This range should be clearly shown at the back of this Policy.
- If the Head Teacher takes on permanent accountability for one or more additional schools, the Pay Committee will set a pay range in accordance with the provisions of STPCD paragraph 6.6 or 7.9.
- For appointments on or after 1<sup>st</sup> September 2023, the Pay Committee will determine a pay range, taking account of the full role of the Head Teacher (STPCD 2022 Part 7, paragraphs 44 - 47), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (Part 2 of the STPCD), including recruitment issues. The Pay Committee will take into account the factors set out in Annex 1 of the STPCD when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The Pay Committee can consider using its discretion, only in exceptional circumstances, to exceed the 25% limit beyond the maximum of the group range, when setting the pay range for the Head Teacher, as set out in Part 2 of the STPCD. Any such decision must be based on a fully documented business case and external independent advice.
- The Pay Committee will use reference points within the pay range – these are set out in the Pay Policy Guidance Document Appendix 1.
- At the appointment stage, candidate specific factors will be considered when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of 7 points [insert alternative number if the school policy differs from the 7 points recommended by this policy] reference points, for performance-related pay progression.
- The Pay Committee will have regard to the provisions of Part 2 of the STPCD 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 consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with Part 2 of the STPCD, paragraph 10.
- The total sum of any temporary payments made to a Head Teacher will not exceed 25% of the annual salary which is otherwise payable to the Head Teacher. The total sum of salary and other payments made to a Head Teacher must not exceed 25% above the maximum of the Head Teacher group, except in **wholly exceptional circumstances**. In such wholly exceptional circumstances, independent external advice must be sought before constructing a business case

for a temporary payment that exceeds 25% above the maximum of the Head Teacher group.

## 18. Serving Head Teachers

For current serving Head Teachers:

- The Pay Committee will only re-determine the pay range of a serving Head Teacher, in accordance with paragraph 9 of the STPCD Section 3 Guidance, in the following circumstances:
  - if the responsibilities of the post change significantly.
  - if the Pay Committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team, or with pay arrangements for a member/members of the leadership team whose responsibilities significantly changed ([paragraph 4.2 of the STPCD](#)).
- The Governing Body will also re-determine the pay range if the group size of the school increases, or if the Head Teacher takes on permanent accountability for additional school/schools ([paragraph 8 of the STPCD Guidance Document](#)).
- If the Pay Committee re-determines the Head Teacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. It will take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions for transparency.
- Pay ranges for head teachers should not normally exceed the maximum of the head teacher group. However, the head teachers' pay range may exceed the maximum where the relevant body determines that circumstances specific to the role or candidate warrant a higher-than-normal payment. The relevant body must ensure that the maximum of the head teachers' pay range and any additional payments made under [paragraph 10 of the STPCD](#) do not exceed the maximum of the head teacher group by more than 25% other than in exceptional circumstances; in such circumstances, the governing body must seek external independent advice before providing such agreement and support its decision with a business case.
- The Pay Committee will consider using its discretion, in exceptional circumstances, to exceed the 25% limit beyond the maximum of the group range, as set out in Part 2 of the STPCD. However, before agreeing to do so, it will make a fully documented business case and will seek external independent advice.
- The Pay Committee will use reference points within the pay range and will leave 7 [\[insert alternative number if the school wishes to deviate from the recommended 7 points in this policy\]](#) reference points for performance-related pay progression.
- The Pay Committee will review the Head Teacher's pay in accordance with Part 2 of the STPCD and award one or more reference points where there has been sustained high quality performance. This decision will have 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.

## 18.1 Temporary Payments

- The Pay Committee will consider the use of temporary payments for clearly defined temporary responsibilities or duties only, in accordance with the Section 3 Guidance of the STPCD.
- The total sum of temporary payments made to a Head Teacher must not exceed 25% of the annual salary which is otherwise payable to the Head Teacher, and the total sum of salary and other payments made to a Head Teacher must not exceed 25% above the maximum of the Head Teacher group, except in wholly exceptional circumstances. In such wholly exceptional circumstances, the Governing Body will produce a business case and seek external independent advice before providing agreement.

## 19. Deputy/Assistant Head Teachers

### 19.1 Pay on Appointment

- For appointments on or after 1<sup>st</sup> September 2023, the Pay Committee will determine a pay range, taking account of the full role of the Deputy/Assistant Head Teacher (see Section 2 of the STPCD), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations, including recruitment issues. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The Pay Committee will use reference points within the pay range.
- At the appointment stage, candidate-specific factors will be considered when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of 5 [insert alternative number if the school wishes to deviate from the 5 points recommended by this policy] reference points, for performance-related pay progression.
- The Pay Committee will exercise its discretion, under Section 2 of the STPCD, where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- The Pay Committee will consider whether the award of any additional payments is relevant, as set out in Section 2 of the STPCD.

### 19.2 Serving Deputy/Assistant Head Teachers

- The Pay Committee will review and, if necessary, re-determine the Deputy/Assistant Head Teacher pay range in the following circumstances:

Where there has been a significant change in the responsibilities of the serving Deputy/Assistant Head Teacher (see Section 3 of the Guidance of the STPCD)

To maintain consistency with pay arrangements for new appointments to the Leadership group, or to maintain pay arrangements for a member/members' of the Leadership group whose responsibilities significantly change.

- When determining the pay range of a serving Deputy/Assistant Head Teacher, the Pay Committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (see

Section 2 of the STPCD), including recruitment issues and the Governing Body will carefully minute its decisions and reasons for those decisions.

- The Pay Committee will ensure the maintenance of appropriate differentials between different leadership/senior posts in its staffing structure.
- The Pay Committee will exercise its discretion, under Section 2 of the STPCD, of the document where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- The Pay Committee will consider whether the award of any additional payments are relevant, as set out in Section 2 of the STPCD.
- The Pay Committee will use reference points within the pay range and will leave at least 5 [insert alternative number if the school wishes to deviate from the recommended 5 points in this policy] reference points for performance-related pay progression.
- The Pay Committee will review pay in accordance with Section 2 of the STPCD. The Governing Body may award one or more reference points where there has been sustained high quality of performance, having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the Deputy/Assistant Head Teacher's most recent Appraisal Report.

Deputy and Assistant Head Teachers may be awarded up to two points where there has been a sustained high quality of performance.

Pay progression will normally be by one point, but that two points may be awarded where:

- all objectives have been exceeded.
- the teacher significantly enhances pupil progress.
- the teacher has made a substantial impact on the effectiveness of staff.
- the teacher has shown strong leadership in developing, implementing, and evaluating policies and practice in the school.

The above criteria should be applied in the context of whether the leadership team member has teaching responsibilities.

## 20. Classroom Teachers

### 20.1 Pay on Appointment

All appointments will be made in line with the Recruitment Policy adopted by [Name of School].

The issue of whether to retain portability of existing pay for qualified teachers at recruitment is dealt with by offering the option to either dispense with this (Option A) or retain it (Option B). Select either option (A) or (B) below:

## (A)

The Governing Body 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.
- current salary.
- the wider school context.

In adopting Option A the School is dispensing with pay portability as a mandatory requirement. Schools choosing this option should note that where this results in a salary reduction for a new appointee (e.g., an appointment of an existing UPR teacher to the main-scale) the teacher will have the right to re-apply for UPR if appropriate in line with the provisions of this policy.

The Governing Body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice but, in any event, the Governing Body will address the issue of portability in the appointment, based on the guidance contained within the Section 2.1 of the Pay Policy Guidance Notes.

## (B)

The Governing Body will maintain the Teacher's previous pay entitlement (excluding any allowances) and pay progression, i.e., this School observes pay portability.

### **20.2 Pay Determinations for Existing Main Pay Range Teachers (effective from 1<sup>st</sup> September 2023)**

The Pay Committee will use the main scale Teacher pay range.

The pay scale for the main pay range Teachers in this school is set out in Appendix 1 of the Pay Policy Guidance.

**20.2.1** To move up the main pay range, one annual increment point at a time, Teachers will need to have made good progress towards their overall appraisal objectives with no concerns documented and will have met the relevant Teachers' standards. Teaching should, over an appropriate period of time, have enabled most pupils, and most groups of pupils, to have made good progress.

(NB: This paragraph should be read in conjunction with 20.2.6 which makes the circumstances clear in which is appropriate to withhold pay progression for a classroom teacher who is on the main scale.)

If the evidence shows that a Teacher has exceptional performance, the Governing Body must consider the use of its flexibilities to award enhanced pay progression, up to the maximum of 2 points (or insert alternative maximum no of pay points to be awarded).

In this school "exceptional" performance means:

- the Teacher has exceeded all objectives, and
- the Teacher is assessed as fully meeting all the Teachers Standards.

*Pay decisions will be based on evidence collated through the appraisal process.*

- 20.2.2** In order to ensure consistency in pay decisions, all recommendations from Reviewers will be subject to moderation of the Pay Committee, in conjunction with the Head Teacher.

Classroom Teachers will be awarded pay progression on the Main Pay Range following each successful Performance Management/Appraisal Review.

- 20.2.3** In the case of Early Careers Teachers whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. On successful completion of their first year of induction (i.e. no concerns about standards and performance are raised in writing and assuming support is sufficiently addressed by the school to the conclusion of that induction year) Early Careers Teachers will be entitled to receive pay progression. On successful completion of the second year of the early careers teaching framework the teacher will be eligible for further pay progression.

- 20.2.4** Further information, including sources of evidence, is contained in the school's Appraisal Policy and the Pay Policy Guidance.

- 20.2.5** The Pay Committee will be advised by the Head Teacher in making all such decisions. Any increase (i.e., no movement, one point, more than one point) will be clearly attributable to the performance of the Teacher in question. The Pay Committee will be able to justify and evidence its decisions.

- 20.2.6** There may be circumstances in which a Head Teacher recommends to the Pay Committee that a teacher may not receive a pay award:
- The Teacher is going through procedures under the Appraisal Policy ("Teachers experiencing difficulties" section). In these situations, where good progress is made and the Teacher reverts to the Appraisal Policy, any withheld pay increase should be re-instated, and backdated to the start of the current cycle.
  - The Teacher is being managed under the Capability Policy.
  - There are extenuating circumstances justifying the delay of implementing procedures under the Appraisal Policy ("Teachers experiencing difficulties" section) or the Capability Policy. In these circumstances, the performance concerns will have been documented and discussed with the Teacher.

## **21. Requests to be Paid on the Upper Pay Range (from 1<sup>st</sup> September 2023)**

### **21.2 Requests**

Any qualified Teacher can request to be considered for placement on the Upper Pay Range. If a teacher is simultaneously employed at another school/other schools, they may submit separate requests if they wish to apply to be paid on the UPR in that school/other schools. This school will not be bound by any pay decision made by another school.

Where teachers wish to be assessed they should notify their appraiser in writing. The Teacher's application will be appended to their performance management appraisal planning statement. The evidence to be used will be that available through the performance management/appraisal process.

### 21.2.1 Process

One request may be submitted annually by (normally) [insert date] each year. However, exceptions will be made in particular circumstances, e.g., those Teachers who are on maternity leave or who are currently on sick leave. Schools should refer to the Local Authority's Teacher Appraisal Guidance for further information on this process.

Appendix four in the Pay Policy Guidance Document suggests a format for teachers making this application and for the application to be assessed.

Schools may wish to devise their own documentation to enable teachers to present their evidence in support of their application. Any process should be sufficiently detailed to enable the teacher to present their evidence, but not overly onerous to avoid any workload issue.

The process for requests is:

- Submit the request in writing, with supporting evidence, to the Head Teacher by the cut-off date of [insert date].
- The Teacher will receive a written acknowledgement of their request, within 5 working days.
- The assessor will review the request and, if appropriate, make a written request for further information/evidence from the applicant. They will then submit a recommendation to the Pay Committee of the relevant body.
- The request and recommendation will be passed to the Pay Committee, supported by the Head Teacher for moderation purposes, if the Head Teacher is not the Appraiser.
- The Pay Committee will make the final decision, supported by the Head Teacher.
- Teachers will receive written notification of the outcome of their request by [insert date]. Where the request is unsuccessful, the written notification will include the areas where it was felt that the Teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).
- If requested, verbal feedback will be provided by the assessor and given within 10 working days of the date of notification of the outcome of the request. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement, in order to meet the relevant criteria.
- Successful applicants will move to the minimum of the UPR on 1<sup>st</sup> September of the current academic year (i.e. the pay award is retrospective).
- Unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix 5 of the SMBC Pay Policy Guidance.

### 21.2.2 Assessment

The Teacher will be required to meet the criteria set out in Section 2 of the STPCD, 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.

Definitions to support the descriptions 'highly competent', 'substantial' and 'sustained' are set out in Section 3.3 of the SMBC Pay Policy Guidance.

Schools should avoid confusing or conflating the criterion and factors for the award of TLR payments with the criteria for movement to the UPR both within the context of objective setting and when making pay decisions.

Applications should be assessed entirely on their merit, and not be based on a School's financial situation.

This school will consider a teacher's achievements at, and contribution to, another educational setting as appropriate when determining whether the Teacher's application for movement to the UPR is successful or not based on the evidence provided.

## **22. Upper Pay Range Progression**

### **22.1 Pay Scale for Upper Pay Range Teachers**

The pay scale for Upper Pay Range Teachers in this school is set out in Appendix 1 of the SMBC Pay Policy Guidance.

### **22.2 Pay Determinations Effective from 1<sup>st</sup> September 2023**

The Pay Committee will determine whether there should be annual movement on the Upper Pay Range. In making such a determination, it will take into account:-

- evidence that the Teacher has maintained the criteria in Section 3.3 of the SMBC Pay Policy Guidance.
- The Teacher's eligibility to progress should be discussed with them at their performance management meeting.

**22.2.1** Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual Teacher. The Pay Committee will be able to objectively justify its' decisions. In accordance with the STPCD section 2, a recommendation on pay must be made in writing as part of the Teacher's appraisal report.

**22.2.2** Where it is clear that the evidence shows the Teacher has made good progress, i.e., they continue to maintain the criteria set out above, and have made good progress towards their objectives, the Teacher will move to the second point on the Upper Pay Range; or, if already on the mid-point, will move to the top of the Upper Pay Range.

Where it is clear from the evidence that the Teacher's performance is exceptional, the Pay Committee will use its flexibility to decide on enhanced progression from the minimum to the maximum of the UPR.

In this School "exceptional" performance means:

- The Teacher has exceeded all objectives, and
- The Teacher is assessed as fully meeting all the Teachers Standards.

**22.2.3** Teachers will be awarded annual pay progression on the Upper Pay Range following two consecutive, successful Performance Management/Appraisal Reviews\*. Reviews will be deemed to be successful, unless there are documented concerns about standards of performance that have been raised with the Teacher during the annual Performance Management/Appraisal Review cycle, and these concerns have not been sufficiently addressed through support provided by the school by the conclusion of that process.

\*Teachers who do not progress in one year, due to not having a successful performance review, will not be eligible to progress in the following year since they will not be able to satisfy the criteria of having had two consecutive successful appraisal outcomes.

**22.2.4** Further information, including possible sources of evidence is contained within the school's Appraisal Policy.

**22.2.5** The Pay Committee will be supported by the Head Teacher in making all such decisions.

## **23 Leading Practitioner Posts**

Select either option (A) or (B) below.

(A) The Governing Body will take account of Section 3 of the STPCD when determining the role of Leading Practitioner in this school. Such posts may be established for Teachers whose primary purpose is the modelling and leading improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure.

(B) This school has determined that it will not employ any Teachers in the role of Leading Practitioner for this school year. The Governing Body will review this decision on annual basis.

### **23.1 Pay on Appointment**

The Pay Committee will determine a pay range as set out in Appendix 1 of the Pay Policy Guidance Document

This is in accordance with Section 2 and Section 3 of the STPCD.

### **23.2 Pay Determinations Effective from 1st September 2023**

The Reviewer will agree Appraisal Objectives for the Leading Practitioner in accordance with the School's Appraisal Policy.

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 Section 2, Part 3 of STPCD.

**23.2.1** The Pay Committee will take account of other evidence. The totality of the evidence should show that the Leading Practitioner has made good progress towards their objectives.

**23.2.2** The Pay Committee will determine pay progression such that the amount is clearly attributable to the performance of the Leading Practitioner. The Pay Committee will be able to objectively justify its decision.

**23.2.3** Where it is clear that the evidence shows the Teacher has made good progress, i.e. they continue to maintain the criteria set out above and have made good progress towards their objectives, the Teacher will move to the second point on the Leading Practitioner pay scale for the leadership pay scale - see the SMBC Pay Policy Guidance note 2.2.

Where it is clear from the evidence that the Teacher's performance is exceptional, the Pay Committee will award enhanced pay progression of more than one increment on the scale see the SMBC Pay Policy Guidance note 2.2.

**23.2.4** Subject to moderation of the Pay Committee, supported by the Head Teacher, Leading Practitioner Teachers will be awarded pay progression on their pay scales following each successful Performance Management/Appraisal Review. Reviews will be deemed to be successful unless some concerns about standards of performance have been raised, in writing, with the Teacher during the annual Performance Management/Appraisal Review cycle and have not been sufficiently addressed through support provided by the school by the conclusion of that process.

The Pay Committee will be supported by the Head Teacher in making all such decisions.

## **24. Unqualified Teachers**

The pay scale for unqualified Teachers in this school is set out in Appendix 1 of the Pay Policy Guidance Document.

### **24.1 Pay on Appointment**

The Pay Committee will pay any unqualified Teacher in accordance with Section 2, Part 3 of the STPCD. The Pay Committee will determine where a newly appointed, unqualified Teacher will enter the scale, having regard to any qualifications or experience he/she may have, which they consider to be of value. The Pay Committee will consider whether it wishes to pay an additional allowance, in accordance with Section 2, Part 4 of the STPCD.

### **24.2 Pay Determinations Effective from 1<sup>st</sup> September 2022**

In order to progress up the Unqualified Teacher pay range; unqualified Teachers will need to show that they have made good progress towards their three Objectives.

If the evidence shows that an unqualified Teacher has exceptional performance, the Governing Body will award enhanced pay progression of more than one increment on the scale.

In this School "exceptional" performance means the unqualified Teacher:

- has exceeded all three objectives, and
- is assessed as fully meeting all the relevant Teachers' Standards.

Pay Decisions Will Be Based on Evidence Collated Through the Appraisal Process

**24.2.1** Subject to moderation of the Pay Committee, supported by the Head Teacher, unqualified Teachers will be awarded pay progression on their pay scale following each successful Performance Management/Appraisal Review. Reviews will be deemed to be successful unless there are documented concerns about standards of performance that have been raised with the unqualified Teacher during the annual Performance Management/Appraisal Review cycle, and these concerns have not been sufficiently addressed through support provided by the school by the conclusion of that process.

**24.2.2** The Pay Committee will be supported by the Head Teacher in making all such decisions. Pay progression on the unqualified Teacher pay range will be clearly attributable to the performance of the individual unqualified Teacher. The Pay Committee will be able to objectively justify its decisions.

## **25. Teaching and Learning Responsibility Payments (TLRs) from 1<sup>st</sup> September 2023**

The Pay Committee may award a TLR to a classroom Teacher in accordance with Section 2, Part 4 of STPCD and the Section 3 Guidance.

Teachers will not be required to undertake additional responsibilities without payment of an appropriate TLR.

TLR1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning. All TLR responsibilities will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, considering the criterion and factors set out at Section 2, Part 4 of the STPCD and Section 3 of the STPCD Guidance.

A Job Description should be drawn up outlining the responsibilities for which the TLR1 or TLR2 payment is being made. A teacher should not hold more than one TLR1 or TLR2. The Job Description and allocated payment should take account of all the responsibilities being undertaken that meet the definition for qualification for a TLR1 or TLR2 payment. Where TLR1 or TLR2 are awarded to a part time teacher the TLR will be paid pro rata at the same proportion as the teachers' part time contract (As detailed in STPCD).

The Pay Committee may award a TLR3, for clearly time-limited school improvement projects, or one-off, externally driven responsibilities, as set out in Section 2, Part 4 of the STPCD. The responsibilities are not a permanent or structural requirement which should be rewarded by means of a permanent TLR1 or 2 payment.

The Governing Body will ensure that the use of TLR3 is in line with the requirements set out above, and where there is a genuine development or operational need. TLR3 payments must not be used to replace, or otherwise limit, Teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

The Governing Body will set out, in writing, the criteria for the award, the duration of the fixed term and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

A Teacher holding a TLR1 or 2 payment, may be eligible to hold a TLR3 in addition to any existing payment.

TLR3 payments are not paid pro-rata where a teacher works on a part-time basis because the payment relates to specific responsibilities to be achieved.

A Teacher may be awarded more than one TLR3.

TLR3 payments must not be used for purposes (e.g., recruitment and retention incentives) other than those stipulated above.

For 2022/23 schools can award a TLR3 to staff who are planning, preparing, co-ordinating or delivering coronavirus catch-up tutoring. This can be given when tutoring is taking place during the school day, but outside of normal directed hours.

Unqualified teachers may not be awarded a TLR payment.

The value and range for TLR payments are set out in the Pay Policy Guidance Document referred to earlier in this policy.

## 26. Special Needs Allowance

An SEN allowance is payable to a classroom Teacher in accordance with this paragraph. Further guidance on the appropriate payment level within this range (4 pay points) is contained within Section 4 of the SMBC Pay Policy Guidance Document.

The relevant body must award an SEN to a classroom Teacher:

- a) in any SEN post that requires a mandatory SEN qualification (1) and involves teaching pupils with SEN (this should be an MSI qualification for Hearing Impaired or Visually Impaired);
- b) in a special school;
- c) who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached Teacher, in a local authority unit or service (Special Classes refers to classes of children where most of the children have an EHCP).
- d) in any non-designated setting (including any pupil referral unit) that is analogous to a designated special class or unit, where the post:
  - i) involves a substantial element of working directly with children with SEN. The policy is that children with these needs should not be in non-designated settings or PRU's. If SEN needs are identified when in these schools, a more appropriate setting should be sought.
  - ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with SEN.
  - iii) has a greater level of involvement in the teaching of children with SEN than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached Teacher, the unit or service. (ii and III refer to more than the normal requirement of teachers to work with SEN pupils and meet pupils needs as stated within Teachers' Standards).

When deciding on the amount of the allowance to be paid, the Governing Body will consider the structure of the school's SEN provision and:

- whether any mandatory qualifications are required for the post.
- the qualifications/expertise of the Teacher are relevant to the post.
- the relative demands of the post (Section 2, paragraph 21.3 of the STPCD).

The STPCD Section 3 Guidance (paragraphs 55 – 59) sets out how the Governing Body should establish differential values in relation to SEN roles in the school, in order to reflect significant differences in the nature and challenge of the work entailed, so that the different payment levels can be objectively justified.

## 27. Acting Allowances

Acting allowances are payable to Teachers who are assigned and carry out the duties of Head Teacher, Deputy Head Teacher, or Assistant Head Teacher, in accordance with Section 2, Part 4 of the STPCD. The Pay Committee will, within a four-week period of the commencement of acting duties, determine whether the acting post-holder 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 appointment into an acting post is voluntary and will be made by mutual agreement.

Any Teacher who carries out the duties of Head Teacher, Deputy Head Teacher, or Assistant Head Teacher, for a period of four weeks or more, will be paid at an appropriate point of the Head Teacher's, Deputy Head Teacher's, or Assistant Head Teacher's range, as determined by the Pay Committee. Payment will be backdated to the date of

commencement of the duties.

## **28. Support Staff**

The appropriate Trade Unions will be consulted on those sections relating to Support Staff.

### **28.1 The Pay Committee**

The Pay Committee notes its powers to determine the pay of support staff, in accordance with Paragraph 17 and Paragraph 29 of the School Staffing (England) Regulations 2009 and the Department for Employment guidance 'Staffing and Employment Advice for Schools' February 2017. The Pay Committee will determine the pay grade of support staff on appointment, in accordance with the scale of grades currently applicable in relation to employment with the LA, which the Pay Committee consider appropriate for the post. In reaching its determination, the Pay Committee will consider the advice of the LA. The Appeals process is set out Appendix 5 of the Pay Policy Guidance.

### **28.2 Grading**

An appropriate salary grade will be allocated to all support staff posts at the school. Due regard shall be taken of any advice from the LA on grading matters and of the locally adopted Job Evaluation Scheme (National Joint Council Local Government Scheme), and the provisions of the Equality Act 2010.

For standard documentation for the job descriptions and person specification templates please see the extranet, these should be available for each post. They will either be based upon a generic job descriptor written by the LA or, where the post is considered to be unique, the post shall be submitted to the LA for a job evaluation exercise to be completed. Before filling vacancies of existing posts, where duties and responsibilities have altered, the grade of that post shall be reviewed in line with LA guidance.

Existing posts will be reviewed where there is a significant increase in the duties and responsibilities attached to that post, or where a serious grading anomaly, with a substantially similar post, is alleged to exist. If appropriate, advice will be sought from the LA.

Responsibility for the grading of support staff posts is delegated to the Head Teacher/ Pay and Personnel Committee.

### **28.3 Starting Salary for New Appointments**

Appointments will normally be made at the first point of the appropriate nationally agreed scale. However, where the qualifications and experience of the successful applicant merits consideration of a higher entry point, this will be examined and, if appropriate, a higher starting salary may be paid. Current NJC Salary scales can be found on the extranet.

### **28.4 Salary Increments**

The Governing Body will ensure that staff eligible to receive pay awards do so in line with the provisions of the Performance and Development Review Framework (PDR) for School Support staff (or alternative Support Staff Appraisal Scheme if the LA scheme has not been adopted by the Governing Body), following their annual Performance Review. This policy recommends the adoption of the council's

Performance and Development Review Framework for Support Staff which can be found on the Schools Extranet Site

## **28.5 Temporary Additional Duties**

The Governing Body will follow the practice of the LA with respect to the allocation of higher salary payments, where the duties of a more highly-graded post are undertaken in whole or in part as a result of staff absence, a recruitment gap or a short-term project.

## **28.6 Honoraria Payments**

The Governing Body will follow the practice of the LA with respect to the use and application of honoraria payments for NJC (green book) staff.

## **29. Part-time Employees**

**29.1 Teachers:** The Governing Body will apply the provisions of the STPCD in relation to part-time Teachers' pay and working time, in accordance with Section 2, Part 6 and Section 3 of the STPCD Guidance.

**29.2** 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 (in line with the STPCD Section 3 Guidance), 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. Any additional hours worked by agreement from time-to-time will be paid at the same rate.

**29.3 All Staff:** The Head Teacher and Governing Body will ensure that all part-time employees are treated no less favourably than a full-time comparator.

## **30. Teachers Employed on a Short Notice Basis**

Such Teachers will be paid in accordance with Section 2, Part 6 of the STPCD.

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.

Teachers who are employed to teach for the full pupil day will be paid at a daily rate of 1/195<sup>th</sup> of the annual pay they would receive if engaged on a regular contract. Teachers who work less than a full day will be paid hourly and will also have their salary calculated as an annual amount which will then be divided by 195, then divided again by the proportion of the full pupil day which they teach, to arrive at the hourly rate.

## **31. Additional Payments**

In accordance with Section 2, Part 4 of the STPCD and Section 3 Guidance, the relevant body may make payments, as they see fit, to a Teacher, other than a headteacher, in respect of:

- Continuing professional development undertaken outside the school day.
- Activities relating to the provision of initial Teacher training as part of the ordinary conduct of the school.

- Participation in out-of-school hours learning activity agreed between the Teacher and the Head Teacher or, in the case of the Head Teacher, between the Head Teacher and the relevant body.
- Additional responsibilities and activities due to, or in respect of, the provisions of services relating to the raising of educational standards to one or more additional schools.

The Pay Committee will make additional payments to Teachers in accordance with the provisions of Section 2, Part 4 and Section 3 of the STPCD Guidance, where advised by the Head Teacher. Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount, which will then be divided by 195 then divided again, by the proportion of the full pupil day which they teach, to arrive at the hourly rate.

### **32. Recruitment and Retention Incentive Benefits**

*Teachers:* The Governing Body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (Section 2, Part 4 and Section 3 of the STPCD Guidance).

In line with Section 25 of this policy, TLR payments must not be confused and conflated with recruitment and retention incentives.

The Pay Committee will consider exercising its powers under Section 2, Part 4 of the STPCD where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit and the review date after which they may be withdrawn.

The Governing Body will, nevertheless, conduct an annual formal review of all such awards and be transparent in disclosing such awards, as appropriate, having due regard for confidentiality for individual's pay and conditions.

*Leadership:* Head Teachers, Deputy Head Teachers and Assistant Head Teachers may not be awarded payments under paragraphs 27.1 to 27.3 of the STPCD other than as reimbursement of reasonably incurred housing or relocation costs.

All other recruitment and retention considerations in relation to a headteacher, deputy headteacher or assistant headteacher – including non-monetary benefits – must be taken into account when determining the pay range.

Where the relevant body pays a recruitment or retention incentive or benefit awarded to a headteacher, deputy headteacher or assistant headteacher under a previous Document, subject to review, it may continue to make that payment at its existing value until such time as the respective pay range is determined under this Policy

Refer to Sections 17, 18 and 19 of this policy for clarification on these points.

### **33. Salary Sacrifice Arrangements**

Where the employer operates a salary sacrifice arrangement, an employee may participate in any arrangement and their gross salary shall be reduced accordingly, in accordance with the provisions of Section 2, Part 4 of the STPCD (for Teachers) and the relevant Local Authority policies for non-teaching staff.

School Staffing Structure 2023/24 from [date]

This School fits within the School Group (Select group 1 to 8).....

The Head Teachers 7 point pay range is .....

The Deputy Heads 5 point pay range is .....

The Assistant Heads 5 point pay range is .....

**[INSERT SCHOOL STAFFING STRUCTURE AND EFFECTIVE DATE]**