

## **Headteachers & Chairs of Governors of Schools & Academies**

Dear Colleagues

### **Teachers' Pay Policy**

A revised Local Authority (LA) recommended Teachers' Pay Policy is attached for consideration by Governing Bodies. It is necessary for schools to update their pay policies at this time to reflect the changes made in the Schools Teachers' Pay and Conditions Document 2016 (STPCD).

Maintained, Aided, and Foundation schools must comply with the STPCD and agree policies within its provisions. Academies are not bound by the STPCD. The Model Policy has been the subject of formal consultation with the recognised Teachers' Trade Unions and Professional Associations. Unfortunately, on this occasion, it has not been possible to reach a collective agreement. However, there are only very few matters upon which agreement could not be reached with two professional associations. It is important to remember that the substantive content of the policy was agreed in 2014 and that the main changes this year relate to the implementation of the 2016 pay award. An area where agreement could not be reached with the NASUWT and NUT is the continued inclusion of two values at the top of the main pay range, M6 and M6a. There is further reference to this issue in point 1 below.

With the NASUWT there is a second area where agreement could not be reached. The union asserts that assessment of applications to move to the Upper Pay Range should only be based on the most recent appraisal review.

The model policy is recommended to the governing bodies of all Maintained Schools where the Local Authority is the employer and to the governing bodies of those

Academies, Aided and Foundation schools which purchase the Children's Services HR Advisory and Payroll Services for Schools. The basis of the recommendation is that the Model Policy provides a sound and fair framework for paying teachers, which has been the subject of formal consultation with the recognised trade unions and professional associations. The governing body of **any** school wishing or intending to adopt an alternative pay policy or to make amendments to this policy, must conduct its own formal consultations. The NASUWT asserts its right to be consulted at school level since not all elements received collective agreement. It is important to share the policy to be adopted with staff and report any feedback received from the staff, or their representatives, to the Governing Body, for their consideration in determining whether to adopt the policy.

## 2016 Pay Award

The main changes in the 2016 STPCD are the statutory provisions relating to the 2016 pay award. **There is an important and urgent decision to be made with respect to the award of this national pay uplift.**

In deciding whether to adopt the model LA Teachers' Pay Policy, schools will be aware that certain decisions were proposed, in relation to the freedoms already provided by the 2014 STPCD, and incorporated into the policy.

1. In the 2014 Teachers' Pay settlement an average increase of 1% was set nationally. However the increase was only statutorily applied to the maxima and minima of the pay ranges. The Council took the decision to award the salary increase to all centrally employed teachers, across the pay ranges and pay points, and recommended to schools that they adopt the same approach.

2015 saw some small deviations from this approach but in 2016 the national pay settlement again awards an increase of 1% to the minima and maxima of all pay ranges and allowances. The model pay policy has incorporated the 1% increase in salaries to all pay points on the pay scales adopted previously by the Council, as this is considered to treat all teachers fairly.

In **2015** a new point M6a was created because the national settlement increased the maximum of the main pay range by 2%. The value of point M6 was set at a 1% increase on the 2014 figure. The 2015 DfE guidance indicated that all teachers previously paid on the maximum of the main pay range should not automatically receive a 2% uplift, but that this should be dependent on performance and the LA therefore adopted this position in the model pay policy. In the **2016** model policy the 2015 values for both M6 and M6a have been increased by 1%.

However, the LA is planning to consult with schools on whether to return, in future, to a single point at M6 set at the statutory main pay range maximum. Consideration will be given to the following:

- the difference between the 2 M6 values is only £325 pa,
- there is a potential negative effect on teachers, feeling that they have had to wait to progress to the maximum of M6,
- the reality that the majority of teachers, at this point in their career, are already successfully applying to move to the UPR.

Consultation with schools will seek to clarify whether the current salary points are valued by schools in motivating and rewarding performance or whether the opportunity for those moving up from M5 to M6 to immediately receive the higher amount would be more useful, in terms of recruitment, retention and staff relations. There is already freedom in the policy for any school that wishes to solely utilise the higher (M6a) value for teachers who progress, or have progressed, from M5.

2. The 2015 STPCD did not allow any increase to the Leadership Points at the top of each of the Headteacher Group Ranges, but the values of these same points were increased where they occurred within a headteacher group range. Thus there are (a) and (b) values at Leadership Points 18, 21, 24, 27, 31, 35, 39 and 43. In the 2016 policy a 1% increase has been applied to both of the 2015 values at each of these points. The **lower (b) value** represents the top of the headteacher group range in each case.
3. The 1% increase to all pay points is separate from any movement along a pay range, which teachers may be awarded as a result of a successful performance review, in line with the school's Appraisal Policy. It is expected that nearly all teachers who were already paid at M6 on 31 August 2016 will be progressed to M6a, backdated to 1 September, following successful appraisal review, unless they have transferred to the Upper Pay Range (UPR). It is important that schools do not forget to implement this progression.

Pay progression, through the Main Pay Range including those progressing from M6 to M6a, Upper Pay Range, Leadership Scale or Leading Practitioner Pay Range should be detailed on an Adjustment Form and sent to the Shared Service Centre, for implementation.

4. While the LA model policy does not rule out the adoption of new differentials between TLR payments, on a school by school basis, it continues to recommend that Governing Bodies adhere to the previous differential of at least £1,500 between each TLR1 payment and £1,500 between each TLR2 payment. Additionally, as previously recommended, it suggests that TLR3

payments be set at 3 levels and these have been uplifted by 1% to amounts of £523, £1563 and £2603 to provide sufficient difference in value to reflect posts of varying scope and weight. It could become difficult to objectively and consistently quantify the factors determining a post's value and justify the varying values attached to posts, if the amounts awarded are not significantly different.

5. The 2016 model pay policy also includes minor amendments to reflect the STPCD freedoms related to performance pay progression. There is no specified 'normal' rate of progression through a pay range and it is recognised that movement through UPR is no longer expected to take two Appraisal cycles.

## Implementation

The Council's Shared Services Centre (SSC) **will not be applying the above increases** to the pay of teachers in the authority's schools until October's pay which will ensure that Governing Bodies have the opportunity to make a decision on whether to adopt the model policy and apply a 1% uplift to all existing pay range points and allowances. Schools that purchase the Council's payroll service need to inform the Shared Services Centre as a matter of urgency, by email to [pay@derbyshire.gov.uk](mailto:pay@derbyshire.gov.uk), by no later than **5 October** 2016, if they do **not** wish to apply the 1% uplift to all points on the teachers' pay ranges and allowances. Given the tight timescale, schools may wish to utilise the Chair of Governor's emergency powers to implement the pay award.

**Unless the school notifies the Shared Services Centre by the above date, it will be assumed that the uplift will be paid universally as detailed above.**

Headteachers who later in the autumn term (following successful performance review) progress to the top of their headteacher group range should be paid at the lower, (b), value of that Leadership Point. In the instruction to the SSC, schools will need to make it clear on the Adjustment form whether a headteacher to be placed on one of the following Leadership Points, 18, 21, 24, 27, 31, 35, 39, or 43, should be paid on the (a) or (b) value of the point. It would be advisable to quote the amount as well as the (a) or (b) designation. The SSC is not otherwise aware whether a Headteacher on one of these 8 leadership points has reached the top of the school group range or whether the same point represents an interim point on a higher group range.

It is advised that Headteachers confer with the Chair of Governors to ensure the chair is aware of whether their leadership pay point represents the top of a headteacher group.

Schools will still need to subsequently inform the Shared Service Centre, by completing an Adjustment form, of any performance pay progressions that are agreed by the Governing Body as detailed above. Schools should note that when

progressing a teacher from M5 to M6, the appropriate value, i.e. M6 or M6a, needs to be clearly noted on the Adjustment Form.

Both the national pay award and any performance pay progressions will be backdated to 1 September 2016.

If any school that purchases payroll services from the Council will not be implementing the national pay award as specified, contact must be made with the Shared Services Centre to discuss the school's proposals, as the payroll system will need to be individually configured. In this circumstance it is unlikely that the pay award will be implemented at the same time as for other schools. According to the level of complexity of work required there may also be an additional charge incurred. Schools are also advised to discuss the implications of this decision for employee relations, with the Children's Services HR advice and guidance team or other HR service purchased by the school.

### Completion of the Policy

There are some paragraphs in the policy where each school needs to enter their own details.

- Paragraph 7.3 (page 30) - Enter the values of any TLR posts in the School's Staffing Structure. In paragraph 7.3 (c) the wording in *Italics* shows an expectation that the school will retain the differentials between TLRs. This needs to be considered by the school and amended if the Governing Body makes a different decision. The values utilised by the LA including 2016 pay award, are given in section 7 of the Advice and Guidance document, which follows the policy.( page -57-58)
- Paragraph 7.4 (page 32) - Enter the values for any SEN allowances awarded in the School. The amounts set by the LA for centrally employed staff are shown in the Advice and Guidance document.(page 60)
- If the Governing Body awards any recruitment and retention incentives or benefits these should be entered in paragraph 8.2. (page 34)

### Adoption of a Teachers' Pay Policy

Schools need to revise their pay policy for teachers annually. The Governors must formally agree their pay policy and make it available to the staff. If it is proposed to adopt another policy than the one offered by the LA, the school will be required to consult the relevant unions and their staff. Likewise, schools will have to undertake consultation over any amendments made to the LA recommended policy. The Appraisal regulations have not changed but the DfE guidance; *'Implementing your school's approach to pay'* has been updated for September 2016 and remains a useful source of guidance in delivering effective appraisal.

If you have any queries on the policy and/or issues related to teachers' pay arrangements please contact the Children's Services HR Advice and Guidance Team on 01629 535734 or the Shared Services Centre Schools Adjustments and Leavers Team on 01629 535119 (option 4) as appropriate.

Yours faithfully



Emma Crapper  
HR Service Partner



James Luckraft  
Head of Shared Services Centre

# TEACHERS' PAY POLICY

Date of Issue

To

Purpose of Document

Summary of Main Points

It is a document relating to Teachers' Conditions of Service and is available to **All** schools.

This new Pay Policy takes account of revisions to the School Teachers' Pay and Conditions Document and recommended good practice. Formal Consultation has taken place with all the recognised Trade Unions and Professional Associations.

The document includes advice and guidance on:

- All mandatory pay decisions
- All discretionary pay decisions
- Leadership Group Pay decisions
- Performance Pay Progression
- Awarding TLRs, Special Educational Needs, and Recruitment and Retention Allowances
- Payment of Part-Time Teachers
- Issuing Annual Salary Statements
- Procedures for making pay decisions which fulfil statutory requirements and employees' rights of representation and appeal

Governing Bodies are strongly recommended to adopt this policy.

Contact / Further Information

Advice and Guidance

# DERBYSHIRE LA

## TEACHERS' PAY POLICY

### HAYFIELD PRIMARY SCHOOL

Date.....



## TEACHERS' PAY POLICY CONTENTS

**PAGE**

1.	Purpose	5
2.	Context	5
3.	Aims	6
4.	Principles (Including Appeals p.9)	6
5.	Use of Discretions in Basic Pay Determination	11
6.	Pay Reviews and Pay progression	20
	Movement to the Upper Pay Range	26
7.	Discretionary Allowances and Payments	29
8.	Other Payments	32
	Appendix A – Salary Statements	35
	Appendix B – Upper Pay Range Progression Criteria	36
	Request for Assessment to be paid on UPR	37
	Part One – Teacher Details	39
	Part Two – Actions for Headteacher	40
<b>STATUTORY INFORMATION, ADVICE &amp; GUIDANCE</b>		
1.	Statutory Information, Advice and Guidance, Introduction	43
2.	Statutory Annual Salary Review	44
3.	Policy Issues	44
4.	Roles and Responsibilities	44

5. Leadership Group Teachers	46
6. Performance and Pay Progression	49
7. Discretionary Allowances (incl. TLR, SEN & Recruitment & Retention Payments, Acting Allowances, Other Payments)	55
8. Transfer between Schools and part-time breaks in Services	63
9. Part-Time Teachers	63
10. School Teachers Pay & Conditions Payment	63
11. Job Description	63
12. Unsatisfactory Performance	64
13. Salary Statements	64

# TEACHERS' PAY POLICY FOR HAYFIELD PRIMARY SCHOOL

## 1. PURPOSE

The purpose of this policy is to provide a clear basis upon which the pay of teaching employees will be determined in the context of the School's improvement plans and staffing structure. It has been developed to comply with the current School Teachers' Pay and Conditions Document (STPCD) and the conditions of service laid down in the current Burgundy Book. The policy takes account of associated government guidance and has been the subject of formal consultation with the recognised professional associations and trade unions.

## 2. CONTEXT

The responsibility for adopting and implementing a pay policy for teachers in schools with delegated powers rests with the Governing Body acting in accordance with the overriding requirements of legislation, which determine its rights, responsibilities and duties, and in accordance with the present and projected financial circumstances. In adopting this policy the Governing Body intends compliance with the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention and Less Favourable Treatment) Regulations 2002. Procedures for determining pay should also be consistent with the principles of public life- objectivity, openness and accountability.

This pay policy should comply with the current School Teachers' Pay and Conditions Document (STPCD, also referred to as the 'Document') and the accompanying statutory guidance. It should be used in conjunction with them, but, in the event of any inadvertent contradictions, the Document and guidance take precedence.

This model pay policy only covers school teachers, whose statutory pay and conditions of service fall under the terms of the Document. It does not cover support staff, who have their own pay determination mechanism.

In determining teacher pay levels in accordance with statutory pay and conditions of service under the terms of the Document, relevant bodies should also ensure these are set in accordance with the school's staffing structure (a copy of which should be appended to this policy).

### 3. AIMS

The Governing Body wishes to have a pay policy consistent with legal requirements and pay and conditions of service, which supports the School's Improvement and Post Ofsted Plans through:

- (a) A clear staffing structure.
- (b) Objective, consistent and fair criteria for assessing and reviewing salaries in accordance with the mandatory and discretionary provisions in the School Teachers' Pay and Conditions Document.
- (c) An agreed policy on Appraisal.
- (d) A procedure for representation and appeal.
- (e) The application of the School's Equal Opportunities Policy.
- (f) A mechanism for annual review of this policy within the context of the School Teachers' Pay and Conditions Document.
- (g) Regard to available resources.

The Governing Body aims that the policy will:

- assure 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,
- ensure accountability, transparency, objectivity and equality of opportunity.

### 4. PRINCIPLES

The Governing Body has agreed the following principles in relation to the assessment and reviews of salaries for teaching employees.

#### 4.1 Consultation

When adopting, implementing and annually reviewing the pay policy, the Governing Body will consult fully with the staff. The Governing Body has a duty to consult fully with the recognised professional associations and trade unions. Where schools adopt this policy in full and without amendments, this formal consultation with the recognised organisations representing teachers has been undertaken by the Local Authority, on their behalf.

All teachers will have easy access to a copy of the pay policy. Schools should attach a copy of the Staffing Structure and implementation plan (where relevant) to their published Pay Policy.

In keeping with good practice, the annual report on the operation of the pay policy will be provided, on request, to the trade unions and professional associations. The report should include a summary of pay decisions and equality impact assessment.

## **4.2 Application**

The pay policy will be determined by the full Governing Body. Implementation will be the responsibility of a committee of the Governing Body (The Pay Policy Committee) which is made up of at least three governors, excluding the Headteacher and other staff governors. It is recommended that the committee has fully delegated powers and if so, must be established in accordance with The School Governance (Procedures) (England) Regulations 2003, as amended (<http://www.legislation.gov.uk/ukxi/2003/1377/contents/made>). Regulation 16 gives power of delegation to a committee and Regulation 20 deals with establishment of a committee. It is recommended that the terms of reference specify that pay decisions will be communicated to each member of staff by the head, in writing. Decisions on the pay of the head will be communicated by the chair of the governing body, in writing. Advice will be requested from the Strategic Director (Children's Services) or his representative as appropriate.

## **4.3 Vacancies**

All vacant posts and temporary and acting posts, associated allowances and enhancements, will be made known to teaching staff and publicly advertised where appropriate or necessary.

## **4.4 Job Description**

Job Descriptions will be provided for all staff who will be consulted over their content. Job descriptions for individual posts (e.g. class teacher, Teaching and Learning Responsibility payment for leading an area) will have been issued during the consultation over the Staffing Structure Review in 2005 or subsequently when the staffing structure has been revised. Any changes to these would be subject to consultation. The Headteacher (or designated senior leader) is responsible for discussing each year with individuals which tasks, from within the overall role, need to be amended, reviewed, developed or prioritised.

## **4.5 Contracts of Employment and Salary Records**

All teaching employees will be provided with a letter of appointment and contract of employment. Each teacher will have access to their own salary records and will be notified of the outcome of their salary assessment and subsequent reviews by an annual Salary Statement which provides details of salary points and allowances. Details of the information which will be included in the annual Salary Statement are included as Appendix A to this policy.

## **4.6 Confidentiality**

The Headteacher and Governors recognise their obligations under the Data Protection Act. The Headteacher and Governor will treat all salary issues confidentially, with sensitivity, and will undertake to make no public disclosure or provide details, other than by consent, or as required by legislation.

#### 4.7 Pay Reviews

The Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October (except in the case of the Headteacher) each year, including giving them a written statement setting out their salary and any other financial benefits to which they are entitled. Teachers' annual pay reviews should be conducted by 31 October. 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. The Headteacher's pay review will be completed by 31 December. A written statement will be given after any review and where applicable will give information about the basis on which it was made.

Salary reviews will be undertaken by the Pay Policy Committee of the Governing Body, which has fully delegated powers. Please see terms of reference of the Committee, in Governing Body documentation.

#### 4.8 Equalities Considerations

Where a teacher is absent on maternity leave or long term sick leave, their pay review may be deferred until after their return to work (or carried out before maternity leave commences), depending on the effect of the timing and length of the absence on the ability to carry out a performance review. Account could also be taken of performance in previous appraisal periods, if there is little to go on in the current year. Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision **because** of her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increases that she would have received, following appraisal, had she not been on maternity leave.

When a teacher is absent for disability related reasons the school will consider and consult on whether there are any adjustments that can reasonably be made to enable the teacher to participate in appraisal and access pay progression. When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had s/he not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified. (See 'Implementing your school's approach to Pay', September 2016, DfE)

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

Salary Assessments and Reviews will be made by the Governing Body (Pay Policy Committee) on the advice of the Headteacher and other teachers filling the role of Appraiser.

Any salary decisions will be communicated in writing to each teacher in accordance with the School Teachers' Pay and Conditions Document, by the Headteacher or Chair of Governors.

#### **4.10 Appeals**

From time to time teachers may disagree with their salary assessment or annual salary review. As far as practicable these will be resolved informally with the Headteacher and/or representative(s) of the Pay Policy Committee. If this is not possible and the disagreement remains unresolved teachers will be able to have their disagreement resolved through formal procedures. The formal procedure will be fair, equitable, and objective to allow a reasonable and appropriate outcome to be achieved. Outcomes of the formal procedures will always be in accordance with the procedures and requirements of the School's Pay Policy (i.e. it should be self-regulating).

The order of proceedings will be as follows:

- 4.10.1 The teacher receives written confirmation of the pay determination, and where applicable, the basis on which the decision was made. The teacher will be provided with details and the time frame of how to challenge a decision, make representations and appeal.
- 4.10.2 If the teacher is not satisfied and is unable to resolve the matter informally with the decision maker within 10 working days he/she will set down in writing the grounds for questioning the pay decision [which must relate to the grounds as set out in 4.9.5 below] and send it to the Pay Policy Committee within 10 working days of the notification of the decision being appealed against, or of the outcome of the discussion referred to above.
- 4.10.3 The Pay Policy Committee should provide a hearing within 10 working days of receipt of the written grounds for questioning the pay decision to consider this and give the teacher an opportunity to make representations in person.
  - The teacher is entitled to be accompanied by a colleague or Professional Association Representative
  - The timing and location of the formal meeting will be reasonable and will allow both parties to explain their cases
  - The teacher and their representative will have access to all relevant documents
  - The teacher or representative will be able to state their case and ask questions of the Headteacher and/or Pay Policy Committee
  - The Pay Policy Committee will give reasons for its original decisions and respond to any questions put to it by the teacher or representative.

- 4.10.4 The Pay Policy Committee may seek the advice of the Headteacher and/or Strategic Director for Children's Services, or representative. The Pay Policy Committee will decide the outcome of the representations and inform the teacher in writing within 1 working day. If appropriate, the teacher will be informed in writing of their right of appeal, including the timeframe available for registering an appeal.
- 4.10.5 The teacher can appeal against the decision on procedural grounds or that the Pay Policy Committee has failed to implement the School's Pay Policy. A teacher may appeal against any determination in relation to his/her pay on statutory grounds as follows:

That the committee who made the decision:-

- a) Incorrectly applied the school's pay policy
- b) Incorrectly applied any provision of the School Teachers' Pay and Conditions Document
- c) Failed to have proper regard for statutory guidance
- d) Failed to take proper account of relevant evidence
- e) Took account of irrelevant or inaccurate evidence
- f) Was biased or,
- g) Otherwise unlawfully discriminated against the teacher

Any appeal will be heard by a committee of 3 Governors who were not involved in the original determination and have had no prior involvement of any kind in the matter.

- It will be heard 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 and will have the right to be accompanied by a colleague or Professional Association Representative
- The employee or representative will be able to state their case
- The representative of the Pay Policy Committee will give reasons for the Committee's decision
- The Appeal Committee may ask questions of the employee or representative and the representative of the Pay Policy Committee
- The Appeal Committee may seek the advice of the Headteacher and/or Strategic Director, Children's Services, or representative
- The Appeal Committee will decide the outcome of the appeal and inform the employee in writing within 1 working day. Where the appeal is rejected



it will include a note of the evidence considered and the reasons for the decision

- The pay appeals procedure performs the function of the grievance procedure on pay matters and therefore decisions should not be re-opened under general grievance procedures. Appeal decisions do not affect teachers' statutory employment rights

## 5. USE OF DISCRETIONS IN BASIC PAY DETERMINATION

### 5.1 Pay range for Headteachers

Since 1 September 2014 revised regulations have governed the setting of leadership pay, requiring Governing Bodies to determine the appropriate level of pay for the role, in the light of school size, context and challenge. **There is no need for the Governing Body to reassess the pay or allowances of an existing Headteacher or the leadership team.** The pay of those in post will only need to be reviewed when there are significant changes to responsibilities.

The School may choose to review the pay of all of their leadership posts under these arrangements if it is determined that this is required to maintain consistency either with pay arrangements for new appointments to the leadership group made on or after 1 September 2014 or with pay arrangements for a member or members of the leadership group whose responsibilities significantly change on or after that date. Should the Governing Body, as a result of a review, propose to reduce the Individual Salary Range of a leadership group member, the appropriate consultation process will be followed. If the change is implemented the national safeguarding provisions will apply.

Although the school has the freedom to set its own pay points between the minimum and maximum salary on the leadership pay range, the Governing Body has decided to adhere to the previous leadership scale points, increased in line with uplifts made in national pay awards. The Governing Body will review the Individual School Range (ISR) when it appoints a new Headteacher. A 3 stage process will be followed. Pay decisions will be documented and made on objective criteria.

- I. Defining the role and determining the Headteacher group:  
To identify the broad pay range the school will be assigned to a Headteacher group, by calculating the total unit score for the school in accordance with STPCD. The unit score is based on pupil numbers and must include any **permanent responsibility for additional schools**. The Governing Body must define the specific role, responsibilities and accountabilities of the post and set out the skills and relevant competencies required.
  
- II. Setting the indicative pay range:  
The complexity and challenge of the role in the context of this school will be considered. The unit score total usually fully captures the complexity of the Headteacher role and the relevant broad pay range accommodates appropriate

levels of reward. The Governing Body will also consider whether the indicative pay range should start at the minimum of the Headteacher group or at a higher level because of the challenge of the post.

Additional factors may suggest that the indicative pay range should be higher than would be provided by the basic calculation at stage 1. Examples of additional factors include:

- The context and challenge arising from pupils' needs (eg high level of deprivation in the community, high levels of children with special needs, English as an additional language, looked after children or high pupil mobility)
- High degree of complexity and challenge eg accountability for multiple schools, managing across several dispersed sites, significantly beyond that expected of Headteachers of similar sized schools **and not already reflected in the total unit score used at stage 1.**)
- Additional permanent areas of accountability not reflected at stage 1.
- Factors that may have impeded the school's ability to attract a field of appropriately qualified and experienced leadership candidates (eg location, specialism required, size/responsibilities of remainder of leadership team)

If the circumstances warrant, an indicative pay range with a maximum of up to 25% above the top of the relevant Headteacher group range may be determined. If the Governing Body wishes to consider a pay range above that limit, external advice will be sought and should the advice suggest additional payment is appropriate; a business case must be made and agreed by the full Governing Body.

There will be no double counting of responsibilities or factors that have already been accounted for at stage 1. Factors not expected to persist, such as temporary responsibility for an additional school, will be reflected through an allowance rather than consolidated into the indicative pay range.

Some factors may carry more weight than others. The Governing Body may consider that the pay range should extend above the maximum of the Headteacher group for the school. The governors will seek advice from their HR provider and benchmarking information, if considering a higher pay range. The Governing Body will ensure that the pay range allows scope for performance related progression over time and what will be the appropriate differentials to other leadership pay ranges.

Although nationally mandatory spine points on the leadership pay range have been removed, the Governing Body has decided to retain the previous leadership group spine points as reference points. An indicative salary range of 7 spine points will be determined.

### III. Deciding the starting salary and individual pay range:

The 3<sup>rd</sup> stage is where the starting salary of the individual who is to be offered the post is decided.

Once a preferred candidate has been identified, through the recruitment process, the starting salary of the individual who is to be offered the post will be decided. The salary will be set in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. Scope will be retained for the Headteacher to secure performance related progression over time, through the seven point range.

The relevant body should determine the pay range for Headteachers when they propose to make a new appointment or at any time if there has been a significant change in the responsibilities of the Headteacher. The ISR should be reviewed if a pay range is set for a deputy or assistant Headteacher which overlaps with that of the Headteacher. The STPCD allows for the pay range of a deputy or assistant Headteacher to overlap the Headteacher's pay range but this should only happen in exceptional circumstances.

The expectation is that in most cases the pay range will be within the limits of the Headteacher group. However if the Governing Body has difficulty making an appointment or there is a need to incentivise a Headteacher to take on an exceptional challenge, a decision can be made to increase the maximum of the pay range to be above the maximum of the Headteacher group, by up to an additional 25%. If it is considered that there are very exceptional circumstances that might warrant an extension beyond that limit, a business case would be required. The Governing Body would also need to seek independent, external advice from an appropriate body or person, who can consider whether it is justifiable to exceed the limit in the particular circumstances. There must be a clear audit trail of the advice given and a full and accurate record of all decisions made, with the reasoning behind them.

### Temporary Payments to Headteachers

In the circumstances where there is a vacancy for a permanent Headteacher and, for some reason, it is not possible to appoint a deputy Headteacher or other member of teaching staff to the post of acting Headteacher, another Headteacher may be temporarily appointed to be responsible and accountable, in addition to their continuing position as Headteacher of another school.

The arrangement should be time limited and reviewed with a maximum duration of 2 years, while the school pursues arrangements to make a permanent appointment, or consider other alternatives such as forming a federation.

The Governing Body may determine that additional temporary payments be made to the head teacher for clearly temporary duties or responsibilities that were not taken into account when the salary for the post was formulated.

The total sum of any additional temporary payments made to the Headteacher in any school year must not exceed 25% of the annual salary which is otherwise paid to the Headteacher. The total sum of annual salary and temporary payments must not exceed 25% of the maximum of the Headteacher group. If the Governing Body considers making payments which exceed these limits a business case must be made and external advice taken before any decision is taken.

The above paragraph applies except where the additional payments relate to residential duties which are a requirement of the post or to relocation expenses which arise solely from the personal circumstances of the Headteacher.

### Extended Services

The Governing Body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site as part of the local authority's local area plan when determining the Headteacher's ISR. If the Headteacher and Governing Body have agreed to take on significant additional responsibility, for which the Headteacher is accountable, and the Headteacher is permanently appointed, then the Governing body has the discretion to take this into account when setting the Headteacher's pay range. Any salary uplift will be proportionate to the level of responsibility and accountability undertaken. Consideration will also be given to the remuneration of other teachers who will take on additional responsibilities as a result of the Headteacher's role.

Clarity will be established around how such arrangements will work in practice and how they will end.

However where the Headteacher takes an interest in the quality of a service that is co-located on site, but is not responsible or accountable for the service, then this would be viewed as part of the Headteacher's core responsibilities and would not be taken into account when setting the pay range.

### Fixed term Contracts

The Governing Body may appoint a Headteacher on a fixed term contract where it determines that the circumstances of the school require this. Consideration will be given to how the length and reason for the contract will affect the timescale and nature of appraisal objectives set.

## **5.2 Deputy and Assistant Headteachers' ISRs**

The Governing Body will determine an ISR of 5 consecutive Points, on the leadership pay range agreed by the Governing Body, for each Deputy and Assistant Headteacher. The ISR will reflect the responsibilities and challenge of the post, the circumstances of the school, and possible recruitment and retention difficulties.

The Pay Range may be determined as of 1 September or at any time of year to reflect any changes in the circumstances or job description/responsibilities that lead to a change in the basis for calculating their pay, or at any time if it is considered necessary to retain a Deputy or Assistant Headteacher.

A new deputy or assistant Headteacher will be placed on the range according in the light of candidate specific factors, such as the extent to which the candidate meets the specific requirements of the post. Scope will be retained for the deputy or assistant

Headteacher to secure performance related progression over time, through the five point range.

The top point of any Deputy Headteacher's ISR will normally be set at least 1 point below the lowest point of the Headteacher's ISR, unless there are exceptional reasons why this is not the case.

The top point of any Deputy Headteacher's ISR will be at least at 1 point higher than the top point of any Assistant Headteacher's ISR.

The lowest point of any Deputy or an Assistant Headteacher's ISR will have a cash value which is greater than the cash value of the salary of the highest paid classroom teacher.

This is defined as the cash value of point 1 on the Upper Pay Scale plus the cash value of any substantive TLR payments and Special Educational Needs Allowances.

The Governing Body acknowledges it is possible that the actual salary differential between:

- an inexperienced or new Headteacher and an experienced Deputy or Assistant Headteacher may be relatively small.
- an experienced Headteacher and an inexperienced or new Deputy or Assistant Headteacher will be relatively large.

Also, that similar situations may arise for differentials between Deputy or Assistant Headteachers and the highest paid class teacher and that

- an experienced Assistant Headteacher may be paid more than an inexperienced or new Deputy Headteacher
- a teacher who has progressed up the Upper Pay Scale and who receives additional substantive allowances may be paid more than a more senior member of staff
- a teacher on a protected salary may be paid more than a Deputy or Assistant Headteacher, and/or the highest paid class teacher as defined in The School Teachers' Pay and Conditions Document

These situations are due to specific circumstances which have been anticipated and are acceptable according to the School Teachers' Pay and Conditions of Service Document

When the Head becomes responsible for more than one school, in all cases, consideration will be given to the remuneration of Deputy and Assistant Heads who as a result of the Headteacher's role are taking on additional responsibilities. An increase in remuneration will only be agreed where the post accrues additional

extra responsibilities as a result of the Headteacher's enlarged role, it is not automatic.

### Extended Services

Where the Head takes on responsibility for extended services the Governing Body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the deputy or assistant Head's remuneration. An increase in remuneration will only be agreed where the post accrues extra responsibilities as a result of the Head teacher's enlarged role, it is not automatic.

## **5.3 Leading Practitioners**

From 1 September 2013 Governing Body had to determine whether to include in the School's Staffing Structure any posts which primarily have the purpose of modelling and leading the improvement of teaching skills. A teacher paid on the leading practitioners' pay range must be an exemplar of teaching skills, lead the improvement of teaching skills in their school and carry out the professional responsibilities of a teacher, other than a Headteacher, including those duties delegated by the Headteacher.

Any teacher placed on the pay range for leading practitioners will take a leadership role in developing, implementing and evaluating policies and practice in the school that contribute to school improvement.

For any leading practitioner post the Governing Body will determine an individual pay range within the overall range for the post. Different posts within the school may be paid on different individual ranges. The Governing Body will determine where, within the individual range for any particular post, each relevant teacher will be paid.

Teachers on the pay range must be an exemplar of teaching skills, lead the improvement of teaching skills in the schools and carry out the responsibilities of a teacher other than a Headteacher. Their duties may include:

- Coaching, mentoring and induction of teachers, including trainees and Newly Qualified Teachers(NQTs)
- Disseminating materials and advising on practice, research and continuing professional development(CPD) provision
- Assessment and impact evaluation, including through demonstration lessons and classroom observation
- Helping teachers who are experiencing difficulties
- Outreach work in other partner schools

The minimum of the pay ranges for leading practitioners is £38,984 and the maximum is £59,264. In setting an individual range the Governing Body will have regard to the weight of responsibilities, challenge and demands of the post and internal pay relativities between posts of differing levels of responsibility.

## 5.4 Other Teachers

Discretionary experience points for classroom teachers, on appointment.

### Teachers Appointed from the Maintained Sector

For teaching posts, the Governing Body will determine whether any allowances should be paid, in accordance with the school's staffing structure, before advertising a vacancy. On appointment it will determine the starting salary within that range, to be offered to the successful candidate. In making such a determination the Governing Body may take into account factors including

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions
- The wider school context

When placing a classroom teacher on the main pay range, the Governing Body is committed to the principle of pay portability and will take full account of the experience of a newly appointed teacher on the main pay range. The Governing Body will honour a teacher's position on the Upper Pay Range. In both cases this will include any pay progression the teacher would have been awarded as a result of their most recent appraisal review in the post where they were previously employed.

Where the teacher was previously employed on the Main Scale or Upper Pay Range, in a school which has adopted different salary points to this school, the teacher will be appointed at the next salary point above the value of their previous salary.

### Teachers Appointed from Service other than in the Maintained Sector

Qualified teachers appointed from service as a teacher in an Academy, a city technology college or a college for the arts will be assimilated as detailed above for teachers from the maintained sector, if they were previously employed on a pay scale which utilised the minima and maxima provided in STPCD.

Where the teachers have been paid on salary scales outside of the minima and maxima provided in the STPCD, their level of service will be utilised to determine a pay point on this school's relevant salary range.

The Governing Body will award a point or points on the Main Pay Range in recognition of previous teaching experience, as detailed below, or for wider areas of relevant experience in the following circumstances:

- Service in an independent school
- Service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned

- Service as a qualified teacher in further education, including sixth form colleges.
- Service teaching in higher education

The Governing Body will consider awarding one point, in total, on the Main Pay Range on a case by case basis for:

- Relevant experience outside teaching of at **least 3 years** which may include:
  - Industrial or commercial training
  - Paid work directly related to the care and supervision of children
  - Paid work in an area directly related to the subject being taught and with commensurate responsibility
  - Unpaid childcare/parenting duties.

When the Headteacher becomes responsible for more than one school, in all cases, consideration needs to be given to the remunerations of other teachers who, as a result of the Headteacher's role, are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the Headteacher's enlarged role, it is not automatic.

## 5.5 Part-time teachers

Teachers employed on an ongoing basis by the school but who work less than a full working day or week are deemed to be part-time. The Governing Body will give them an agreed written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements. And working time arrangements and by comparison with the School's standard timetabled teaching week, for a full time teacher. Part-time teachers are paid an 'appropriate proportion' of 1265 hours, as set out in the School Teachers' Pay & Conditions document. Part-time teachers must be paid the pro rata percentage of the full-time salary for a teacher in an equivalent post. The same percentage must be applied to any allowances to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the Headteacher (or in the case where the part-time teacher is a Headteacher, the relevant body), should also be paid at the same rate.

Governing Bodies are responsible for ensuring that part-time teachers have a clear statement of the sessions and hours they will be required to work.

## 5.6 Short notice/supply teachers

Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other



teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by a number of days worked.

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 6 to arrive at the hourly rate.

A short notice teacher who is employed by the same authority throughout a period of 12 months beginning in August or September must not be paid more in respect of that period than he would have received had he been in regular employment throughout the period.

## 5.7 Unqualified Teachers

If the school is unable to recruit appropriately qualified teachers, unqualified teachers may be appointed. The Governing Body will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, take account of any relevant qualifications and experience. Unqualified teachers may be appointed above the minimum in the following circumstances:

Qualifications:

- a) 1<sup>st</sup> or 2<sup>nd</sup> Class Hons. Degree
  - b) A higher degree from a UK university in their subject area
- A recognised overseas teaching qualification, in a directly relate subject/area
  - A recognised Post-16 teaching qualification
  - Other recognised qualification relevant to their subject area

Service:

- A period of at least 2 years of service as an overseas-trained teacher, where the post is directly related to the area now being taught and with commensurate responsibility
- A period of at least 2 years of service teaching in further education, including sixth form colleges
- A period of at least 2 years of service teaching in higher education
- The Governing Body may consider awarding on a case by case basis
- Periods of at least 3 years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people.

## 5.8 Unqualified teachers' allowance

The Governing Body will pay an unqualified teachers' allowance to unqualified teachers when the Governing Body considers their basic salary is not adequate having regard to their responsibilities, qualifications and experience. Where an unqualified teacher is appointed to a post that would carry a Teaching and Learning Responsibility payment (TLR), if filled by a qualified teacher, then the teacher will be paid an allowance of the same value as the relevant TLR as long as the teacher has:-

- (a) taken on a sustained additional responsibility which is –
  - (i) focussed on teaching and learning;
  - (ii) requires the exercise of a teachers' professional skills and judgment;
- Or
- (b) qualifications or experience which bring added value to the role he is undertaking.

## 6. PAY REVIEWS and PAY PROGRESSION

6.1 Since 1 September 2013 there are 4 pay ranges for teachers other than those on the leadership pay range.

- i) The main pay range for qualified teachers who are not entitled to be paid on any other pay range
- ii) The upper pay range
- iii) The pay range for leading practitioners, whose primary purpose is to model and lead teaching improvement, and
- iv) The unqualified teacher range

Any pay increase awarded to a teacher on the main pay range, upper pay range, or unqualified pay range, or any movement between those ranges will be permanent for as long the teacher remains employed in this school.

In 2014, 2015 and 2016 the STPCD also included a national pay award for teachers. In 2015 the uplifts to the maxima and minima of pay ranges were statutory but the relevant body had to determine whether to apply any increase to interim points on pay ranges, except for the pay points at the top of each headteacher group range, where no increase could be applied. A 1% uplift was awarded to the maxima and minima of all other pay ranges and allowances, except the main pay range, where the maximum was increased by 2%. However it was clarified by the DfE that all those teachers previously paid at M6, the 2014 maximum, should not automatically receive a pay increase of 2%, it was for the relevant body to determine taking account of performance review.

In 2015 the Governing Body decided that a 1% uplift would be made to all pay points, on all pay ranges and allowances, excepting the top point of the headteacher group ranges, dated from 1 September 2015. Any teachers previously paid on M6 therefore

received 1% increase to salary, in line with other teachers in the school. They were then eligible to be awarded a further 1%, to be paid the range maximum, on the basis of successful performance, when the Governing Body considered recommendations for teachers' to receive performance pay progression. Any such payments were to be backdated to 1 September 2015.

The 2016 national pay award, to be paid from 1 September 2016, provided for a statutory increase of 1% to the maxima and minima of all pay ranges, including the 8 headteacher groups and 1% uplift to the minima and maxima of the ranges for TLR payments and SEN allowances.

The Governing Body recognises that teachers' pay progression must be linked to performance. While schools are required to pay teachers paid on the minimum of a pay range a 1% salary increase, it is for the Governing Body to determine how they translate the uplift to the national ranges in relation to other teachers.

It has been decided to award 1% increase to all the pay points on the pay ranges adopted in the pay policy, including TLR payments and SEN allowances. Both values at the top of the Main Pay Range, M6 and M6a, have been uplifted by 1%.

There are also 2 values (a and b) for points 18, 21, 24, 27, 31, 35, and 43 on the Leadership Pay range. The (b) values are the salary figures for headteachers already paid at, or moving to the top of, the school group pay range, as these points were frozen in 2015. The (a) values are utilised where headteachers are paid on one of these Leadership pay points, **within** their Individual Salary Range (ISR).

## 6.2 Main Pay Range

The main pay range has a minimum of £22,467 and a maximum of £33,160. The Governing Body has determined that, in this School, the following intermediate reference points will be used as points of progression through the range, where agreed by the Governing Body through the application of this policy.

Point 1	£22,467
Point 2	£24,243
Point 3	£26,192
Point 4	£28,207
Point 5	£30,430
Point 6	£32,835
Point 6a	£33,160

## 6.3 Upper Pay Range

The upper pay range has a minimum of £35,571 and a maximum of £38,250. The Governing Body has determined that in this School the following intermediate reference points will be used as points of progression through the range, where agreed by the Governing Body through the application of this policy.

Point 1 £35,571

Point 2 £36,889

Point 3 £38,250

The Governing Body will pay a teacher on the Upper Pay Range if:

- a) The teacher is employed, or defined as, a post threshold teacher in the School under the 2012, or earlier, STPCD.
- b) The teacher applies to be paid on the Upper Pay Range, in accordance with the arrangements set out in paragraph 6.9 of this policy, that application is successful; the teacher is still employed at the school.
- c) The teacher was previously employed in the leadership group or as a leading practitioner, was first appointed as such on or after 1 September 2000 and occupied that post, or posts, for an aggregate period of one year or more and the teacher specified in (a) to (c) will not be paid on the pay range for leading practitioners or on the pay spine for the leadership group.

The Governing Body will determine, on a case by case basis, where teachers will be placed on the range. For teachers paid on the Upper Pay Range by virtue of a) the Governing Body will recognise previous pay progression on the scale. Teachers to be paid on the Upper Pay Range (UPR) by virtue of the circumstances in b) will normally be paid on the minimum of the range and the Governing Body has the option to start the individual at a higher point on the UPR. The Governing Body will determine, on a case by case basis, where teachers who were previously employed as Leading Practitioners or on the Leadership Scale will be paid will be placed on the UPR range.

#### **6.4 Pay Range for Leading Practitioners**

Since September 2013 the Governing Body has determined whether to include in the School's Staffing Structure any post(s) which primarily have the purpose of modelling and leading improvement in teaching skills (see 5.3 above).

The Pay Range for Leading Practitioners has a minimum of £38,984 and a maximum of £59,264.

The Governing Body will determine an individual post range for each leading practitioner post and where, within the individual post range, each teacher will be paid. Where a Leading Practitioner Post is adopted by the Governing Body a pay range will be determined from the following points:

1. £38984	10. £48711
2. £39960	11. £49976
3. £40958	12. £51127
4. £41978	13. £52405
5. £43023	14. £53712
6. £44102	15. £55049
7. £45290	16. £56511
8. £46335	17. £57810
9. £47492	18. £59264

### 6.5 Unqualified Teachers' Pay Range

An unqualified teacher will be paid within the minimum of £16,461 and maximum £26,034 of the Unqualified Teachers' Pay Range. The Governing Body has determined the salary reference points shown below will be utilised where it is **agreed that an unqualified** teacher will progress up the range through performance reviews, in accordance with this policy.

Point 1	£16,461
Point 2	£18,376
Point 3	£20,289
Point 4	£22,204
Point 5	£24,120
Point 6	£26,034

### 6.5 Leadership Pay Spine

The Governing Body has determined that the leadership pay ranges will utilise the following reference points between the statutory minimum and maximum.

	£		£
Minimum	38,984	23	66,982
2	39,960	24(a)	68,643
3	40,958	24(b)	67,963
		25	70,349
4	41,978	26	72,089
5	43,023	27(a)	73,876
		27(b)	73,144
6	44,102	28	75,708
7	45,290	29	77,583
8	46,335	30	79,514
9	47,492	31(a)	81,478
		31(b)	80,671
10	48,711	32	83,503
11	49,976	33	85,579
12	51,127	34	87,694
13	52,405	35(a)	89,874
		35(b)	88,984
14	53,712	36	92,099
15	55,049	37	94,389
16	56,511	38	96,724
17	57,810	39(a)	99,081
		39(b)	98,100
18(a)	58,677		
18(b)	59,264	40	101,554
19	60,733	41	104,091
20	62,240	42	106,699
21(a)	63,779		
21(b)	63,147	Maximum 43(a)	109,366
22	65,363	43(b)	108,283

*Are these the right way around? NO!*

Where there are 2 values for a leadership point, (eg 18a and 18b) the (b) value should be applied where it represents the top of the Headteacher group range.

## 6.6 Pay Progression

September 2013 was the last time when teachers on the main pay scale received annual increments, as all pay decisions made from September 2014 will need to be linked to assessments of performance.

All decisions regarding pay progression will be made with reference to the teachers' appraisal review statements and the pay recommendations they contain. To be fair and transparent, assessments of performance will be properly rooted in evidence. The evidence to be utilised in a performance pay review must be part of the appraisal process. It would not be appropriate for the school to introduce evidence requirements that are not directly and explicitly related to the formal appraisal process and with the

objectives and standards agreed with the teacher. Careful consideration will be given in order to avoid the inappropriate use of evidence and the need for the adoption of targets and objectives that enable teachers to demonstrate performance rather than simply results.

The evidence to be used in the school as the basis for assessing performance is detailed in the School's Appraisal Policy. The policy also details how fairness will be ensured through the process of appraisal and performance review.

In this school we will ensure fairness by annual monitoring of the application of the pay policy and pay decisions by the Governing Body.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether 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 Headteacher, who will have moderated appraisal reviews and appraisers' pay recommendations. If a pay recommendation is not accepted, the Governing Body will provide the teacher with the reasons behind the decision and direct the teacher to the school's appeals procedure.

Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision because of her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increase that she would have received, following appraisal, had she not been on maternity leave. When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified.

The Governing Body will take account of potential pay progression in the light of the school budget and ensure that appropriate funding is allocated for pay progression at all levels. All teachers can expect to progress to the top of their pay range as a result of successful appraisal reviews.

In order for an appraisal/performance review to be deemed 'unsuccessful' significant concerns about standards of performance not meeting expectations/progress towards objectives not being satisfactory, will have been raised during the annual appraisal cycle and recorded in writing. Also, the concerns will not have been sufficiently addressed by the teacher following support and feedback provided by the school by the conclusion of the cycle.

In this school judgements of performance will be made against teachers' performance objectives which will incorporate the relevant standards, as detailed in the school's Appraisal Policy.

## 6.7 Newly Qualified Teachers

In the case of Newly Qualified Teachers (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 Competence Procedure but those successfully completing their induction year will be awarded pay progression.

## 6.8 Teachers on the Main Pay Range

Teachers will be eligible for pay progression of at least one point up the scale defined by the Governing Body, following each successful appraisal review.

In exceptional circumstances, where a teacher's performance is assessed to be successful in relation to significantly exceeding appropriate objectives, they are assessed as highly competent in fully meeting the relevant standards and significantly improving the progress of pupils, teachers may be awarded further progression on the Main Pay Range for excellent performance.

## 6.9 Movement to the Upper Pay Range

New arrangements for gaining access to the UPR came into effect from 1 September 2013. Teachers must have Qualified Teacher Status (QTS). There are no barriers in STPCD connected with length of service for a teacher to be eligible for movement on to UPR, however teachers will need to demonstrate substantial, highly competent and, particularly, sustained performance. Teachers have the opportunity to make accelerated progress through the main pay range if awarded movement of 2 or more points following annual appraisal. Individual teachers must decide whether or not they wish to apply to their Headteacher to be paid on UPR. Any application must be assessed in line with this policy. Applications may be made once a year, to be received by the end of October, to enable inclusion of the previous academic year's appraisal review, with consequent backdating of the transfer to UPR to the 1 September.

If a teacher is simultaneously employed at another school, they may submit separate applications if they wish to apply to be paid on UPR 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 2012 regulations, including any recommendation on pay, where these fall within the period of assessment. While schools may decide that there is sufficient evidence of sustained highly competent performance using only the most recent appraisal cycle, applications have usually contained evidence from the two most recent academic years. As referenced in paragraph 6.6, particular consideration needs to be given to the applications of teachers who have been on maternity leave or absent with long term illness, especially if the absence is related to a disability. *(See reference in the Statutory Information, Advice and Guidance section, paragraph 6.)*



Applications, using the standard format attached to this policy, should be submitted in writing to the Headteacher through their appraiser at the appraisal planning meeting. The application should be appended to their appraisal planning statement.

An application 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 to the school are substantial and sustained.

For the purposes of this pay policy the Governing Body will be satisfied that the teacher has met the expectations for progression to the Upper Pay Range where the Upper Pay Range criteria (see Appendix B) have been satisfied as evidenced in the agreed performance reviews.

**The Headteacher will remind, or delegate appraisers to remind, all teachers on the Main Pay Range of their eligibility to apply for assessment.**

Teachers should notify their appraiser that they are planning to apply for assessment to move to the UPR, so that objectives are set appropriately and feedback is given, in relation to the Teachers' Standards *and* Upper Pay Range Criteria defined in Appendix B. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay range.

For teachers who have indicated an intention to apply to transfer to the UPR, it is important that where there is concern that a teacher will not fulfil the Upper Pay Range Criteria, the issues are raised with the teacher during the appraisal cycle. Relevant actions and support should be agreed in order for the teacher to address the areas where there is concern.

In order for an appraisal review to be deemed unsuccessful, in relation to meeting and sustaining UPR criteria, this must be raised during the annual appraisal cycle and recorded in writing. Also the issues will not have been sufficiently addressed by the teacher, following support and feedback provided by the school. Furthermore, the teacher should be provided in writing with clear feedback as to whether they are continuing to successfully meet the Teachers' Standards.

The application will be assessed by the Headteacher.

The recommendation in relation to a teacher's application to be paid on UPR will be considered by the Governing Body, who must be satisfied that a) and b) above are met.

### **Process and Procedures**

The assessment will be made within 15 working days of the deadline for receipt of applications, at the outside. Applicants will all be informed of the outcome and when the Headteacher's assessment will be reported to the Governing Body.

If the applicant is unsuccessful, feedback will be provided by the Headteacher (or other senior leader as determined by the school) Feedback will be provided verbally within 10 working days of the Governing Body's determination and be confirmed in writing within a further 10 days. It will be made clear in the feedback where the criteria for moving to the Upper Pay Range were deemed not to be met and details of how to submit an appeal provided, including the timescale for the process.

Any appeal against a decision not to move a teacher to UPR will be determined through the hearing and appeal process detailed in paragraph 4.9 of this policy.

Successful applicants will move to UPR from 1<sup>st</sup> September (ie backdated if the application was received between 1 September and 31 October). For initial applications to be paid on UPR, successful applicants will be placed at the level determined by the Governing Body.

## **6.10 Post Threshold Teachers/Progression on the Upper Pay Range**

Teachers will be eligible for pay progression of at least one point up the scale defined by the Governing Body, following each successful appraisal review.

Progression on the UPR depends on the teacher's achievements and contribution to the school meeting the specified criteria.

The Annual performance review will determine whether the teacher's performance has been 'highly competent, substantial and sustained', as defined in the Upper Pay Range criteria. Appraisal reviews should show that the teacher has further developed their performance.

In order for an appraisal/performance review to be deemed 'unsuccessful' significant concerns about standards of performance not meeting expectations and/or progress towards objectives not being satisfactory, will have been raised during the annual appraisal cycle and recorded in writing.

Also, the concerns will not have been sufficiently addressed by the teacher, following support and feedback provided by the school, by the conclusion of the cycle.

## **6.11 Headteacher**

The Headteacher must demonstrate sustained high quality of performance, with particular regard to school leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded. When making a determination on pay progression the Governing Body must have regard to the recommendation on pay recorded in the Headteacher's appraisal review.

Annual pay progression within the range for this post is not automatic. Any progression will normally be by one point on the leadership range agreed by the Governing Body. The Governing Body may exercise the discretion available to award

a further point for exceptional performance. Exceptional performance is defined as *that which significantly exceeds the expectations identified in the objectives or, in addition to successfully achieving performance objectives, the school is judged by external assessment to be significantly improved and/or delivering excellent provision.*

## **6.12 Deputy Headteachers and Assistant Headteachers**

Deputy and Assistant Headteachers will be awarded additional points on the agreed leadership scale when Appraisal Reviews, taking account of performance objectives, when they have demonstrated sustained high quality of performance in respect of school leadership and management and pupil progress.

When making a determination on pay progression the Governing Body must have regard to the recommendation on pay recorded in the teacher's appraisal review. Any progression will be of at least one point. The Governing Body may exercise the discretion available to award further progression for exceptional performance. Exceptional performance is defined as *that which significantly exceeds the expectations, identified in the objectives, in key areas of performance and where impact is validated.*

## **6.13 Leading Practitioners**

In order for leading practitioners to move up their individual pay range (as determined by the Governing Body) they must achieve a successful appraisal review. This will be determined in relation to meeting their objectives, which will be set in accordance with their job description and responsibilities of the post. Reviews will be deemed successful unless significant concerns about standards of performance and/or progress towards meeting objectives have been raised with the teacher during the appraisal cycle and recorded in writing. Also the concerns will not have been sufficiently addressed by the teacher, following support and feedback provided by the school, by the conclusion of the cycle.

When making a determination on pay progression the Governing Body must have regards to the recommendation on pay recorded in the teacher's appraisal review. Pay progression will be by at least one point on the teacher's pay range. The Governing Body has the discretion to consider further progression in the following circumstances of exceptional performance.

*Exceptional performance is defined as that which significantly exceeds the expectations set out in their objectives in key areas of performance and impact is validated.*

## **7 DISCRETIONARY ALLOWANCES AND PAYMENTS**

### **7.1 Safeguarded payments and allowances**

Safeguarding will apply up to a maximum of three years whenever a teacher faces a reduction in salary through no fault of their own, as set out in the School Teachers' Pay & Conditions Document.

## 7.2 Teaching and Learning Responsibility Payments (TLRs)

TLRs are awarded to the holders of the posts indicated in the attached staffing structure and may only be awarded in the context of the School's Staffing Structure and Pay Policy. Teachers will not be required to undertake sustained responsibilities or additional responsibilities without payment of an appropriate permanent TLR1 or TLR2, unless paid on the leadership scale or in a Leading Practitioner post.

The values of the TLR1 and TLR2 posts to be awarded are set out below and will be increased by any national pay awards and cost of living increases.

*[The range of TLR1 and 2 posts included in the school staffing structure is shown on the attached documents at their original value before annual cost of living or other increases were triggered.]*

- **Criterion and factors for award of TLRs**

### Criterion

In accordance within the school's staffing structure, the Governing Body will award a TLR1 or TLR2 to a classroom teacher who is responsible and held accountable for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning. If the Governing Body wishes to create new TLR posts or to remove any from the structure they will need to conduct a review of the staffing structure. A teacher will continue to receive the TLR award while they remain in the same post and the TLR may be awarded to another teacher who occupies the same post, in the absence of the existing post holder.

### Factors

Before awarding a TLR, the relevant 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 judgement;
- 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.

Before awarding a TLR1, the relevant body must be satisfied that the significant responsibility referred to in the previous paragraph includes, in addition, line management responsibility for a significant number of people.

The Governing Body may award a third TLR (TLR3) to a classroom teacher on a temporary basis:

- for clearly time-limited school improvement projects
- or one-off externally driven responsibilities

Clear criteria for the award of a TLR3 will be set out. Factors (c) and (e) above do not have to apply to TLR3 posts.

As this would be a temporary addition to the staffing structure, the Governing Body will consult with the professional associations/unions concerning the rationale for the post, the level of payment and duration before the decision to make such a payment is made.

The annual value of a TLR3 must be no less than £523 and no greater than £2603. The duration of the fixed term and payment must be established at the outset and payment should be made on a monthly basis for the duration of the fixed term. Teachers may be awarded more than one TLR3 and holders of TLR1 or TLR2 posts may also be awarded TLR3 posts. *A range of 3 suggested values, matching those adopted by the LA, are given in the Advice & Guidance Section.*

Where a TLR3 is awarded to a part-time teacher it is not paid on a pro-rata basis.

### 7.3 Values

The values of TLR1 and 2 payments must fall within the following ranges:

- a) the annual value of a TLR1 is no less than £7,622 and no more than £12,898 pa.
- b) the annual value of a TLR2 is no less than £2,640 and no more than £6,450 pa.
- c) the 2014 STPCD provided freedom from any required differentials between the value of TLRs awarded. *This Governing Body has determined that where TLRs of different values are awarded to two or more teachers, the maintenance of a minimum difference in value, between each award of a TLR1 of £1,500 and between each award of a TLR2 of £1,500, is considered in order to provide clear difference in the weight and scope of the roles which attract TLR payments.*

A teacher may not hold more than one TLR1 or TLR2 but holders of TLR1 or TLR2 posts may be awarded a TLR3. A TLR1 or 2 could be based on a job description that itemises several different areas of significant responsibility. A TLR1 or TLR2 is a payment integrated to a post in the School's Staffing Structure and therefore may only be held by two or more people, when job sharing that post. TLR1s and TLR2s awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract.

*[The school must set out the TLR values selected for the posts determined in their structure. The values adopted by the LA are shown in the Advice and Guidance*

*Section. If a school wishes to adopt different values for TLR payments, than those adopted by the LA, they will need to formally consult with staff and recognised trade unions/professional associations.]*

## **7.4 Special Education Needs Allowances**

A SEN allowance of no less than £2085 pa and no more than £4116 pa is payable to a classroom teacher:

- In any SEN post that requires a mandatory SEN qualification.
- In a special school.
- Who teaches pupils in one or more designated classes or units in a school, or in the case of an unattached teacher in a local authority unit or service.
- In any non-designated setting that is analogous to a designated special class or unit, where the post:
  - a) involves a substantial element of working directly with children with SEN
  - b) requires the exercise of a teacher's professional skills and judgement in the teacher of children with SEN and,
  - c) 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 or service.

The Governing Body has determined that classroom teachers will be awarded SEN allowance of the following value, **£2085**, taking into account the structure of the school's SEN provision and:

- 1) whether mandatory qualifications are required for the post
- 2) the qualifications or expertise of the teacher relevant to the post and
- 3) the relative demands of the post.

*[The values adopted by the LA for Special Needs Allowances are shown in the Advice and Guidance Section. If a school wishes to adopt different values for SEN Allowances they would need to formally consult with the recognised trade unions/professional associations and staff.]*

If teachers have responsibilities that meet the principles for the award of a TLR payment, it is appropriate to award a TLR of a relevant value.

## **8 OTHER PAYMENTS**

### **8.1 Additional Payments**

The Governing Body may make payments as they see fit to teachers (other than the Headteacher) in respect of:

- Those who undertake professional development outside of directed hours, where an additional payment at their substantive salary point (or they may be allowed an equivalent period of time off) in lieu may be paid.

- Those who undertake activities related to the provision of Initial Teacher Training (ITT) as part of the ordinary conduct of the school.
- Those who take on additional responsibilities and/or activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools.

Any payments made for continued professional development will exclude additional allowances and will be made through normal payroll arrangements.

#### Out of School Learning Activities

The Governing Body have determined that they will not exercise their discretion to make additional payment to teachers for out of school learning activities, except where in connection with a specific, funded, scheme (e.g. One to One Tuition). In such circumstances the payment will be determined by the scheme or paid at 'supply teacher' rate, if no specific provision is made within the scheme. The Governing Body will determine and make clear which is applicable at the time the request/offer is made.

## **8.2 Recruitment and retention incentives and benefits**

The Governing Body may decide to exercise the discretion to award Recruitment and Retention Incentives and Benefits. If so, a list of subject areas and posts for which the Governing Body is likely to experience recruitment difficulties will be determined. The Governing Body will be advised by the Headteacher, and may access information available from Government, and other relevant sources. Headteachers may not be awarded recruitment and retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to a Headteacher must be taken into account when determining the Headteacher's pay range.

School Representatives of Professional Associations and Trade Unions will have been consulted about the adoption of recruitment and retention incentives/benefits before any decision is made by the Governing Body and the agreed list will be made available to staff. The Governing Body is mindful that if a recruitment and retention allowance is awarded to one teacher in a post, all other teachers in similar shortage subject posts should also be awarded the same level of allowance, unless there is good reason not to award the same payment.

When carrying out the statutory annual salary reviews, the Pay Policy Committee will decide whether recruitment and retention incentives and benefits should be offered to new or existing teachers, if so the nature, value, duration and the circumstances in which they will be paid. Where a teacher is given an incentive or benefit, written notification given at the time will state:

- Whether the award is for recruitment or retention
- The nature of the award, (cash sums, % up rate of salary, travel, housing costs, childcare, health provision etc)
- When/how it will be paid

- Unless it is a one off award the start date and duration of the incentive
- The basis for any uplifts which will be applied as applicable.

The criteria for which the Pay Policy Committee may consider whether it is necessary to award or continue a recruitment and retention allowance, which one, and for how long it will be paid will be:

- When a post has been widely advertised at least twice and it is not possible to appoint a suitable candidate.
- Post in shortage areas as defined by the Governing Body.
- A vacant post for which the school is likely to experience recruitment difficulties, based on prior experience.
- A post for which the school would probably experience recruitment difficulties if the post were to become vacant, based on prior experience and available information.

The relevant Governing Body Committee will not award a recruitment and retention allowance to a teacher whose performance has not been satisfactory in the last academic year, nor will a recruitment and retention allowance be paid during any period of unsatisfactory service. The Headteacher will advise the Committee on the award and continuation of recruitment allowances.

The Governing Body will review the level of payments/benefits annually.

The Governing Body will pay recruitment awards to \_\_\_\_\_ of £ \_\_\_\_\_ to be reviewed annually in the circumstances described above. The Governing Body will pay retention awards to \_\_\_\_\_ of £ \_\_\_\_\_ for \_\_\_\_\_ years. This may be extended in “exceptional circumstances”. The use of any recruitment or retention payments will be reviewed at least every 3 years to ensure the criteria are still relevant.

No Recruitment or retention benefits will be awarded to a Headteacher where such reason or circumstance has already been taken into account in determining the ISR. Any award, including a non-monetary benefit (which will be assigned a monetary value) must not cause the overall limit available for discretionary payments to Headteachers to be exceeded.

### **8.3 Residential duties**

Teachers working in residential special schools are normally entitled to be paid for residential duties in accordance with national agreements reached by the Joint Negotiating Committee for Teachers in Residential Establishments.

### **8.4 Honoraria**

The Governing Body will not pay any honoraria to any member of the teaching staff.



**SALARY STATEMENTS**

A Salary Statement will be issued to each teacher each year after the performance and statutory Salary Reviews.

A teacher's Salary Statement will show an assessment of basic salary and allowances. It will also include any safeguarding if appropriate.

The Statement will specifically include:

- The teacher's salary range (Main, Upper Pay Range, Leading Practitioner, Leadership Group)
- Any points awarded for experience/performance on the Main Pay Range and any performance points on the Upper (post Threshold) Pay Range
- Any TLR payment
- Any allowance for teaching children with Special Educational Needs
- Any Recruitment and Retention allowance and whether it is permanent or to be reviewed, including the date for review
- Any other appropriate allowances
- Any appropriate safeguarding
- The teacher's actual salary

**PAY POLICY ANNEXES**

[Insert copy of the School's Staffing Structure and Implementation Plan, (where appropriate)]

**UPPER PAY RANGE PROGRESSION CRITERIA****1. Professional Attributes**

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

**2. Professional knowledge and understanding**

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up to date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy, including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

**3. Professional skills**

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and Mentoring, demonstrating effective practice and providing advice and feedback.

# Request for Assessment to be Paid on the Upper Pay Range



**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; and
  - Be statutorily employed under the STPCD.
- All those wishing be paid on the Upper Pay Range will need to meet the criteria specified on the back of this form.
- Please enclose copies of the paperwork that forms the basis of the application to be paid on the Upper Pay Range.
- Print, sign and date the form, keeping a copy and pass it to your Headteacher by **31 October ....**

# UPPER PAY RANGE PROGRESSION CRITERIA

## **(1) Professional attributes**

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

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

- 2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.
- 2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.
- 2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
- 2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
- 2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

## **(3) Professional skills**

- 3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.
- 3.2 Have teaching skills which lead to learners achieving well relating to their prior attainment, making progress as good as, or better than, similar learners nationally.
- 3.3 Promote collaboration and work effectively as a team member.
- 3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

# Part 1: Teacher details

To be completed by the teacher

## Personal details

Surname \_\_\_\_\_

First name(s) \_\_\_\_\_

Previous surname (if applicable) \_\_\_\_\_

DfE number \_\_\_\_\_

Performance Management/Appraisal Details:

Years covered by Planning/Review Statements \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Schools covered by Planning/Review Statement \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 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 relevant period prior to this request for assessment against the Upper Pay Range Criteria.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## Part 2: Actions for the Headteacher

Check that the teacher is eligible to be assessed, according to the requirements of the School's Pay Policy.

- Before assessing whether the teacher meets the criteria to be paid on UPR the Headteacher must first be satisfied, on the basis of the evidence contained in the appraisal reports and planning review statements, that the teacher meets the Teachers' Standards. If the Teachers' Standards are not met, you must write to the teacher setting out the rationale for the judgement.
- If the Teachers' Standards are met, the Headteacher then goes on to assess whether the teacher meets the criteria for UPR progression set out on Page 2 of this form, having regard to the evidence contained in the appraisal report and/or planning and review statements.
- Make an overall judgement on whether the criteria are met/not met.
- Complete the Headteacher's statement (see page 5)
- Sign, date and copy the form.
- Promptly report this recommendation to the Governing Body for their ratification, and inform the teacher.
- Inform the teacher in writing of the outcome within 20 working days of reporting to the Governing Body.
- Provide the teacher with a copy of the written feedback showing clearly where the Upper Pay Range criteria *have been met or not met*.
- It would be good practice to ensure the teacher's appraiser is informed of any recommendations for the teacher's future development.
- Where progress to the UPR is not awarded, provide the teacher with details of the school's procedure for making representations and for appeal.

## Application to be paid on Upper Pay Range- Feedback To be completed by the Headteacher

Name of teacher: \_\_\_\_\_

School/LA service: \_\_\_\_\_

Please record your overall judgements below

### Teachers' Standards

To be successful, the teacher must meet the Teachers' Standards as well as the criteria for payment on the Upper Pay Range. If these have not been met you should provide a detailed explanation below.

### Criteria to be paid on Upper Pay Range:

If, in your assessment, the criteria have not yet been met, throughout the relevant period, please provide below a detailed explanation of your judgement.

Otherwise, please indicate any areas of particular strength and areas for further professional development for the teacher:-

Signature: \_\_\_\_\_ Print Name \_\_\_\_\_

School Name: \_\_\_\_\_

Date: \_\_\_\_\_

**NB** This page should be passed back to the teacher.

# TEACHERS' PAY POLICY, Statutory Information, Advice and Guidance

Date of Issue

To

Purpose of Document

Summary of Main Points

It is a document relating to Teachers' Conditions of Service and is available to **All** schools.

The document includes advice and guidance on:

- All mandatory pay decisions.
- All discretionary pay decisions.
- Leadership Group Pay decisions.
- Performance Pay Progression.
- Awarding TLRs, Special Educational Needs, and Recruitment and Retention Allowances.
- Payment of Part-Time Teachers.
- Issuing Annual Salary Statements.
- Procedures for making pay decisions which fulfil statutory requirements and employees' rights of representation and appeal.

Contact / Further Information

Advice and Guidance



# STATUTORY INFORMATION, ADVICE & GUIDANCE

## 1. INTRODUCTION

This section of this document outlines the statutory responsibilities of Governing Bodies in relation to teachers' pay and the aspects over which they have discretion.

**Text that covers statutory regulations and requirements is shown in plain typeface, statements that refer to the decisions incorporated into the LA pay policy, that provide additional information, or offer advice and guidance are shown in *Italics*. When using this section for guidance please read to the end of the relevant numbered paragraph to ensure that you are informed of both the statutory position and the approach reflected in the LA policy, plus any additional advice.**

As the Relevant Body for schools with delegated powers, a Governing Body is responsible for developing a school Pay Policy and has a statutory responsibility to annually review teachers' salaries. The Relevant Body has considerable discretion when making decisions on pay. It decides:

- Salary reference points for the Main Pay Scale, Upper Pay Range and Leadership scale between national minima and maxima
- The constitution and pay of the Leadership Group and their starting point on the ISR
- Whether to establish Leading Practitioner posts, the salary on appointment for other teachers and performance pay progression for all teachers, where eligible
- The framework for rewarding the various discretionary allowances

The Governing Body should state in its Pay Policy how it will make decisions on payments for leadership responsibilities, teaching and learning responsibilities, recruitment and retention incentives and benefits, as well as other specific discretions. The Relevant Body must also agree how it will make decisions about Performance Pay Progression.

For schools with delegated powers the LA is under a duty to act on lawful decisions made by the Relevant Body and arrange appropriate payments to teachers.

Relevant Bodies are required to carry out a statutory Salary Review for qualified teachers during the autumn term each year and provide each teacher with a salary statement stating what their salary is from 1 September that year and setting out the various mandatory and discretionary elements of their salary. The school's Pay Policy must set a date by which decisions relating to pay reviews are made.

## 2. Statutory Annual Salary Reviews

The statutory annual Salary Review must be carried out for all teachers in the context of the school's management structure, its Appraisal and Pay Policies, and its obligations under Equal Opportunities legislation. The Relevant Body may carry out a salary review at other times because of changed circumstances, particularly in relation to discretionary allowances.

In order to do so, the Relevant Body should have an agreed Pay Policy which has been discussed with staff, explaining how salary decisions are made. The Policy should be reviewed annually and amended in accordance with current legislation and in particular revisions to the School Teachers' Pay and Conditions of Service Document.

## 3. Policy Issues

The statutory arrangements outlined in the School Teachers' Pay and Conditions Document (STPCD) include considerable opportunity for Relevant Bodies to exercise discretion when assessing and reviewing salaries. Every school should have a Pay Policy which will outline how salary decisions will be made by the Relevant Body on the basis of objectivity, openness and accountability. The Policy should also make clear the school's compliance with Race Relations, Equality Act 2010 and Equal Pay legislation. Any Pay Policy should include:

- The pay scales adopted by the School, within the parameters given in STPCD
- The School's procedures for taking decisions on pay
- The basis on which discretionary payments will be made
- The basis for Performance Pay Progression and the basis on which decisions will be made
- The timetable for Annual Salary Reviews
- Who will take decisions on Pay
- A procedure for representation and appeal

***The DfE has issued guidance for schools in compiling a revised teachers' pay policy in September 2016, 'Implementing your school's approach to pay'.***

## 4. Roles and Responsibilities

The role of the Relevant Body is to:

- Approve the Pay Policy
- Agree the amount within the school's budget for discretionary pay awards

- Consider and make a determination on recommendations from the Headteacher, and other teachers filling the role of Appraiser, on Pay and related budget issues
- Appoint a Pay Policy Committee to assess and review salaries on an annual basis
- Appoint nominated Appraisal Governors to review the performance of the Headteacher
- Ensure salary decisions are made without discrimination
- Monitor and review the Pay Policy
- Inform all staff about their agreed Policy

The role of the Headteacher is to:

- Formulate a Policy for discussion with staff and agreement by the Governing Body.
- Review Performance of teachers with the assistance of other senior staff who hold the role of Appraiser and forward recommendations to the Governing Body or Pay Committee

Performance Pay awards are at the discretion of the Relevant Body. It may delegate pay decisions to a Committee but employees must withdraw from any meeting during consideration of the salary or performance review of any employees.

*The Headteacher's recommendations and those of other Appraisers should take the form of a list with brief supporting information. Governors should not make professional judgements about the effectiveness of individual teachers as their role is to satisfy themselves that the recommendations are evidence based and take proper account of equal opportunities considerations. Governors may request access to underlying performance information to ensure that the recommendations are evidence based, but would not normally become involved in the detail of Appraisal or other performance reviews.*

*Decisions about performance pay progression should be based on an assessment of the teacher's overall performance as exemplified by their achievement in relation to Appraisal objectives, which should reflect the Teachers' Standards and other standards/performance criteria, where appropriate. However failure to meet objectives will not automatically disqualify a teacher from the award of performance-pay progression. It is recognised that contextual issues may have affected the progress made and partial achievement of aspirational objectives may represent successful performance.*

*Issues relating to management responsibilities may be addressed through the school's routine appraisal procedures, and associated objectives, but may need to be*

*dealt with through structured support within the Teachers Experiencing Difficulty section of the Appraisal Policy or, subsequently, Formal Competence Procedures.*

***There should be no 'quota' on pay progression because of funding or cost issues.***

## **5. Leadership Group Teachers**

This includes the Headteacher, Deputy Headteachers and Assistant Headteachers.

The Relevant Body must decide the size and makeup of the Leadership Group, but all members should have a substantial strategic responsibility for school Leadership.

The Relevant Body is required to set an Individual School Range (ISR) for all Headteachers, Deputy Headteachers and Assistant Headteachers and may award progression of at least one point each year on that ISR for "sustained high quality performance" taking account of agreed objectives for that year. The ISR for Headteachers is a 7 point range and for Deputy and Assistant Headteachers it is a 5 point range.

### **5.1 Setting Pay Ranges for the Leadership Group**

Schools belong to one of eight school groups. For mainstream schools this is based on pupil numbers at each key stage and for special schools on a combination of pupil numbers at each key stage and the ratio of full time equivalent staff to pupils with extra weighting given to pupils with Statements of Special Educational Need. *There are 43 points on the Leadership Group Pay Range, adopted by the Local Authority and included in the recommended policy, and there is a salary range for each school group.*

### **5.2 The Headteacher's ISR**

The Relevant Body must determine an ISR which should be within the salary range for the school group. The Relevant Body must review the ISR when it appoints a new Headteacher, and must take account of the size and circumstances of the school. The relevant Body may place a new Headteacher on a point within the range, on the basis of candidate specific factors, such as the extent to which they meet the particular requirements of the post that allows capacity for performance pay progression. *The LA recommended policy states that the Headteacher's ISR will be of 7 points on the agreed leadership scale.*

Where the Headteacher is permanently appointed as Headteacher of more than one school, under the Collaboration Arrangements (Maintained Schools and Further Education Bodies) [England] Regulations 2007 the relevant body must determine a new individual school range. The new ISR is calculated on the total pupil units of the schools within the federation, to which the Headteacher is appointed. *Governing Bodies of relevant schools are advised to contact Children's Services HR for advice and guidance relating to the particular circumstances of the schools involved.* Likewise, Deputy Headteachers, Assistant Headteachers, Leading Practitioners and

classroom teachers, who take on additional responsibility as a result, may receive additional remuneration but it is not automatic.

### 5.3 Extended Services

The Governing Body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the Headteacher's ISR.

Where the Headteacher takes on additional responsibilities associated with the provision of extended services, the Governing Body has discretion to take account of any additional responsibility and accountability when determining the Deputy or Assistant Headteacher's remuneration. An increase should only be agreed when the post accrues extra responsibility as a result of the Headteacher's enhanced role, it is not automatic.

Likewise, for Leading Practitioners and classroom teachers who take on additional responsibilities as a result of the expanded role of the Headteacher, consideration should be given to an increase in remuneration, but it is not automatic.

### 5.4 Provision of Services by the Headteacher

Where the Headteacher provides services to another school (or schools), for example as a National Leader of Education (NLE), the Headteacher is not ultimately accountable for the outcomes in the other school(s) but for the quality of the service provided. The Governing Body will determine how much, if any, payment is made to the Headteacher, in line with the provisions of the STPCD and the school's pay policy, taking account for example of whether the contract requires work outside school sessions.

The Governing Body may also make payments to any of the school's teachers whose post acquires additional responsibility as a result of the Headteacher's activities. Payments are not automatic and should be in line with the provisions of the Document and the school's pay policy.

- If the Headteacher performs the duties in normal working time, as agreed by the Governing Body, there will be no payment to the Headteacher, except authorised expenses.
- If the Headteacher, as agreed by the Governing Body, performs the service in addition to their normal duties, the agreed hours will be paid in relation to their normal salary.
- Other teachers, who formally take on additional responsibilities as a result will receive an increase in remuneration relative to the extent of the responsibilities. The Deputy Headteacher would receive an additional points(s) on their pay range, related the extent that they are fulfilling the Headteacher's role/duties

- Teachers may be appointed, temporarily, to a TLR (or higher TLR than currently held) in the absence of the substantive holder of the TLR/Leadership post.

Where the above is not appropriate the teacher will be paid for the additional hours, outside of their normal directed time, needed to perform the additional duties. This amount will be specified at the outset of the arrangement. The amount will be calculated in relation to their normal salary calculation.

Where the arrangement for the headteacher is temporary, any adjustment to pay of other teachers is also temporary, and safeguarding provisions will not apply when the arrangements cease. The relevant body should consider the appropriate use of acting allowances and other temporary payments.

Where the Governing Body is contemplating agreement to the Headteacher providing services to another school or other external service, the Governing Body must formally authorise the agreement and review every 12 months. The arrangements for payment must be clearly stated in a protocol and decisions minuted. The Governing Body will refer to the guidance in the School Teachers' Pay & Conditions, Section 3, and comply with requirements.

#### 5.5. Deputy and Assistant Headteachers' ISRs

The Relevant Body must determine an ISR for Deputy and Assistant Headteachers on the leadership range identified by the Governing Body. The ISR should reflect the responsibilities and challenge of the post, the circumstances of the school, and possible recruitment and retention difficulties. *The LA recommended policy states that an ISR of 5 points on the leadership range will be set.*

Although not a requirement, the top of a Deputy Headteacher's ISR should be at least 1 point below the lowest point of a Headteacher's ISR, other than in exceptional circumstances. The lowest point of a Deputy Headteacher's ISR should be at least at 1 point higher than the lowest point of an Assistant Headteacher's ISR in the same school.

*It is good practice for the lowest point of a Deputy or an Assistant Headteacher's ISR to have a cash value which is greater than the cash value of the salary of the highest paid classroom teacher. The LA recommended policy defines the salary of the highest paid classroom teacher as the cash value of point 1 on the Upper Pay Range and the cash value of substantive Teaching and Learning Responsibility Payments and Special Educational Needs Allowances.*

*It is possible that the actual salary differential between an inexperienced or new Headteacher and an experienced Deputy or Assistant Headteacher will be relatively small. Also that the actual salary differential between an experienced Headteacher and an inexperienced or new Deputy or Assistant Headteacher will be relatively large. Similar situations may arise for differentials between Deputy or Assistant Headteachers and the highest paid class teacher. Circumstances may also arise where an experienced Assistant Headteacher is paid more than an inexperienced*

*or new Deputy Headteacher. It may also be the case that the cash value salary of a teacher as they progress up the Upper Pay Spine, which rewards “substantial and sustained” class teaching, will be greater than other more senior staff because the differential is based only on Upper Pay Range Point 1 plus any substantive allowances.*

## **6. Performance Pay Progression**

*Objectives form the core of the framework for assessing performance. The relevant teacher standards will be incorporated into the teacher’s objectives and therefore achievement of these objectives would reflect that the standards are being met. However, a teacher who has made good progress towards, but not quite achieved, a very challenging objective may have performed better, and made a more significant contribution to school improvement, than a teacher who has fully met a less aspirational objective. Schools should therefore not assume that a failure to meet objectives necessarily constitutes a failure to meet relevant standards. In such circumstances it would be necessary to clarify, to the teacher during the cycle, the difference between objectives not being on track and evidence that relevant standards are not being sustained.*

All decisions regarding pay progression are to be made with reference to the teachers’ appraisal review statements and the pay recommendations they contain.

To be fair and transparent, assessments of performance must be properly rooted in evidence. The evidence to be utilised in a performance pay review must be part of the appraisal process. It would not be appropriate for the school to introduce evidence requirements that are not directly and explicitly related to the formal appraisal process and with the objectives and standards agreed with the teacher. Schools should consider carefully the inappropriate use of evidence and the need for the adoption of targets and objectives that enable teachers to demonstrate performance rather than simply results. *(see Implementing your school’s approach to pay, DfE September 2016)*

Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, including where a teacher has been absent for part or all of the reporting year.

In those circumstances, schools should ensure that the absent teacher receives fair treatment while ensuring the integrity and robustness of the school’s appraisal process for all teachers. When considering these options, schools should seek to ensure that they minimise bureaucracy for all involved. Schools should consider conducting appraisals prior to individuals departing on maternity leave, even if this is early in the appraisal year, and basing any appraisal and pay determination on the evidence of performance to date in that appraisal year. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current year.

Schools should ensure that their pay and appraisal policies incorporate any adjustments which can reasonably be made to give a teacher who is absent for

disability related reasons an equal opportunity to participate in appraisal and to access pay progression.’ (*Implementing your school’s approach to pay, see page 36 of this DfE document for full advice.*)

## 6.1 Leadership Group

The performance of Leadership Group Teachers must be reviewed annually by the end of October, for the previous school year, (except for Headteachers where the date is end of December) in relation to previously set or agreed performance objectives. The Governing Body can award pay progression of at least one point on the Leadership Range agreed by the Governing Body for “sustained high quality performance”. In this respect performance objectives relating to school leadership and management, arising from the School Improvement Plan and contributing to the improvement of pupil achievement should be agreed with all Leadership Group members each year.

Nominated Performance Management governors will agree performance objectives with the Headteacher.

The Headteacher will agree performance objectives for Deputy and Assistant Headteachers.

*The LA recommended policy provides for teachers on the Leadership Range to receive at least one point of pay progression, depending on the level of successful performance. It is good practice for objectives to reflect the level of experience and responsibility of members of the Leadership Group as they move up their ISR.*

## 6.2 Classroom Teachers

The Governing Body needs to adopt points of pay progression within the Main Pay Range, within the minimum and maximum provided in STPCD.

*The LA model pay policy recommends that schools convert the previous main scale points into their school’s reference points for movement up the scale. This promotes consistency across schools to support recruitment and movement between schools. The pay points provide teachers with an indication of how reasonable pay progression might be achieved within a period, subject to good performance.*

Classroom teachers are paid on the Main Pay Range unless they have passed an assessment to be paid on the Upper Pay Range.

The Governing Body needs to adopt points of pay progression within the minimum and maximum provided for the Upper Pay Range in STPCD.

*The LA model pay policy recommends that schools match the previous upper pay scale, utilising 3 pay points, for the same reasons as above.*

The salary of classroom teachers is determined by their salary point on either of these pay scales plus any teaching and learning responsibilities, allowance for



teaching children with special educational needs, or recruitment and retention benefits and incentives.

### 6.3 Main Pay Range Teachers

Automatic annual increments for service ceased after the Autumn 2013 pay progression had been implemented. The Governing Body has discretion on the award of progression through the Main Pay Range, on the basis of performance and the recommendations in appraisal reports, for all pay reviews from September 2014.

The Governing Body may set differing levels of pay progression for those achieving a successful performance review. The criteria for awarding each level of progression through the pay range must be detailed in the school's pay policy.

*The LA model pay policy recommends that teachers will progress by at least one pay point for a successful performance review with the option to award further progression where exceptional performance has been achieved, as per the criteria defined in the policy. In the model pay policy the definition of 'exceptional' is written in italics in case schools wish to insert their own descriptor. In accordance with general good practice schools should ensure staff are aware of the definition of exceptional performance and undertake consultation with staff and union representatives, with a view to reaching agreement, where it is intended to amend the descriptor in the model policy.*

### 6.4 Experience Points

Newly Qualified Teachers (NQTs), will begin their career at the first point of the Main Pay Range. *On appointment, the Relevant Body should also award additional points for relevant experience, in line with the pay policy.*

Whilst each case should be considered on its own merits the Relevant Body should take account of potential direct or indirect discrimination.

Additional salary points for experience may not be taken away by the Relevant Body while the teacher remains in the same school.

### 6.5 Part Time Teachers

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary. The same percentage must be applied to any allowances awarded to a part-time teacher, except for any TLR3 awarded.

Any additional hours such a teacher may agree to work from time to time at the request of the Headteacher (or in the case where the part-time teacher is a Headteacher, the relevant body), should also be paid at the same rate.

The salary of any person employed as a part-time teacher on 31 August 2008 was re-determined by the relevant body in accordance with sub-paragraph 49.3 of the 2008 document with effect from 1 September 2008. In the event that this re-determination, plus any additional points awarded, resulted in a lower salary then the difference should have been safeguarded for up to three years from 1 September 2008.

The Governing Body should ensure that all teachers employed on a part-time basis are provided with an agreed statement which sets out the expectations of the school, and the part-time teacher, regarding deployment of directed time, both within and beyond the school day.

*A model document for this purpose is available as part of the 'personnel handbook', for schools purchasing the HR advice and guidance service.*

## 6.6 Threshold Assessment and the Upper Pay Range

Teachers on the Main Pay Scale may apply for Assessment and subsequent transfer to the Upper Pay Range (UPR). The Relevant Body has legal responsibility for the process but will delegate the receipt and assessment of applications to the Headteacher, who may involve the appraiser in the assessment. It is the responsibility of the Headteacher to assess applicants' fulfilment of the Teachers' Standards and criteria set in the school's pay policy for UPR progression, via relevant appraisal review statements, and to provide the relevant feedback, as detailed in the Teachers' Pay and Conditions Document. The Governing Body must be satisfied that the teacher has met the expectations for progression to the Upper Pay Range.

Assessment is a voluntary process and teachers are responsible for applying for assessment to the Headteacher in accordance with the arrangements set out in the school's pay policy. It is the teacher's responsibility to submit Performance Reviews, copies of which should be stored confidentially in the school but be readily available to the teacher, if necessary. These should be the reviews that cover the relevant period detailed by the Governing Body in their Pay Policy, in support of their application. *An administrative document for application may be available in the school.*

The application should demonstrate that the teacher has worked at the level determined in the Pay Policy for a sustained period covering the relevant period before the application is submitted. *For teachers who have experienced long term absence or other exceptional circumstances, the school should consult Children's Services HR Advice and Guidance Service (for schools purchasing the traded service), to assess each circumstance on a case by case basis. In practical terms, it is likely that the school will be advised to extrapolate from a teacher's prior performance as an indicator of the level of performance that the teacher would have sustained, had they not been absent.*

*The DfE has published additional advice in the document 'Implementing your school's approach to pay' September 2016, which is quoted above in paragraph 6.*

The Headteacher must provide feedback on applications and should provide the written notification of the outcome within 20 working days of ratification by the relevant body of their decision. Headteachers should inform the relevant body promptly. Where an application is unsuccessful the teacher should also be provided with information about the appeal process and the relevant timescale.

Following notification of a successful Threshold Application, and ratification by the Governing Body, any teacher, who has been successfully assessed, must be paid at the point on the Upper Pay Range that has been determined from 1 September of the relevant academic year. This would normally be point 1.

The Governing Body needs to set out in the school's pay policy what the teacher must demonstrate to ensure 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 to the school are substantial and sustained.

*The LA model policy has an appendix attached detailing the criteria for meeting the requirements to be paid on the Upper Pay Range. The descriptors previously utilised in the post-threshold standards provide clarity on appropriate levels performance to meet a) and b) above, with which schools and teachers are familiar.*

Information must also be provided on the period of time the evidence should cover, to whom the application should be made and details concerning application deadlines. It is important to treat all staff fairly.

While schools may decide that there is sufficient evidence of sustained highly competent performance using only the most recent appraisal cycle, applications have usually contained evidence from the two most recent academic years. As referenced above, particular consideration needs to be given to the applications of teachers who have been on maternity leave or absent with long term illness, especially if the absence is related to a disability.

*The consideration of 2 consecutive successful appraisal reviews is recommended to ensure that the teacher's performance has been 'sustained'. Headteachers are advised to ensure that the objectives set for teachers approaching readiness to submit an application, reflect performance that would fulfil UPR criteria. If the teacher is minded to make an application they would then have the opportunity to evidence the required level of performance. The relevant teacher standards will be incorporated into the teacher's objectives and therefore achievement of these objectives would reflect that the standards are being met.*

*It is also recommended that the application deadline should remain 31 October, to allow consideration of the previous year's appraisal review. The STPCD sets no length of service requirements for eligibility to apply for movement to UPR. However,*

*the application must satisfy that the required highly competent and substantial performance is sustained)*

## 6.7 Upper Pay Range Progression

Progression on the Upper Pay Range (UPR) is not automatic and is at the discretion of the Relevant Body, in accordance with the criteria for progression detailed in the school's pay policy. Teachers on the Upper Pay Range are entitled to a statutory annual performance and salary review and their salary may be increased by 1 or more points of that pay scale until they reach the maximum, if their performance and contribution to the school as a teacher has been "substantial" and "sustained" for the appropriate review period, as defined in the school's pay policy. The Governing Body must set out in the school's pay policy whether teachers are eligible for progression through the UPR after one or more successful performance reviews.

The Governing Body may set differing levels of pay progression for those achieving a successful performance review. The criteria for awarding each level of progression through the pay range must be detailed in the school's pay policy.

The relevant body will receive recommendations from the Headteacher and others acting in the role of Appraisers who will assess the performance of teachers in relation to their performance objectives, which will be informed by the relevant pay progression criteria and professional standards. Headteachers should also consider evidence of performance from previous schools, within the relevant period provided by a teacher, such as outcomes of their Performance Management Review, and where necessary liaise with the Headteacher of a teacher's previous school.

Additional points on the Upper Pay Range can only be awarded by the Relevant Body of the school at which the teacher is employed.

Teachers with part time posts at more than one school must have their salary reviewed by both Relevant Bodies and may be awarded additional points by each school. Progress on the Upper Pay Range at one school does not commit any other school at which the teacher works to also award an additional point(s). That school will make its own assessment. Points awarded for performance are not, automatically transferable when a teacher moves from one school to another. Each school must set out in its Pay Policy whether it will consider previous points awarded on a teacher's pay range when appointing to a post.

The school's Pay Policy should make clear what the Relevant Body considers constitutes "substantial and sustained" or "high quality performance".

*It is expected that the performance of Post Threshold Teachers and their contribution to the school will show that UPR criteria continue to be maintained, such that further progression through UPR would be made, where the teacher is eligible. This will usually be determined by the outcomes of performance determined in statutory Appraisal and Salary reviews. The LA recommended policy states that teachers will be eligible to progress by at least 1 point through the UPR after successful performance review.*

*Any additional responsibilities for classroom teachers should be rewarded through TLR payments rather than UPR progression. Schools should avoid confusing or conflating the criteria and factors for the award of TLR payments with the criteria for movement to the upper pay range, both within the context of objective setting and when making pay decisions.*

## 6.8 Leading Practitioners

Schools have the discretion to create posts for qualified teachers whose primary purpose is the modelling and leading improvement of teaching skills. There are no national criteria for such posts. There is no central requirement for such posts to include an element of outreach, this is for individual schools to determine.

Their duties may include:

- coaching, mentoring and induction of teachers, including trainees and Newly Qualified Teachers (NQT)
- disseminating materials and advising on practice, research and continuing
- professional development provision
- assessment and impact evaluation, including through demonstration lessons and classroom observation
- helping teachers who are experiencing difficulties

The Governing Body must set determine an individual post range for any Leading Practitioner post created, within the overall range provided in STPCD.

Different posts in the same school may have different ranges. The Governing Body will determine where, within an individual post range, a teacher employed in the post will be paid.

## 7. **Discretionary Allowances**

Classroom teachers on the Main Pay Range or Upper Pay Range may be awarded additional allowances by the Relevant Body for teaching and learning responsibilities, teaching children with Special Educational Needs, and for Recruitment and Retention.

### 7.1 Teaching and Learning Responsibility Payments (TLR)

The Governing Body may award a TLR1 or TLR2 to a classroom teacher for undertaking sustained additional responsibility in the context of the school's staffing structure, which must be appended to the pay policy. TLRs are awarded for the purpose of ensuring the continued delivery of high quality teaching and learning, and the holder is accountable.

*During the Autumn of 2005 all schools were required to review the staffing structure. The Governing Body had to approve the structure and implementation plan by 31 December 2005. The staffing structure and implementation plan identified how posts*

*carrying additional responsibility would be remunerated, with a TLR payment, Leadership post, Advanced Skills Teacher or Excellent Teacher post and the salary to be attached. The spot salaries adopted for TLR posts by the school will be identified. The plan indicated how the posts were implemented during the period January 2006 to December 2008 and the mode of appointment.*

The Governing Body needs to include the value of any TLR payments adopted in the School's Staffing Structure in their pay policy. There is no longer a requirement to maintain a differential of at least £1500 between each TLR value. *The LA recommends that Governing Bodies give strong consideration to maintaining a differential of £1500 between the value of TLR1s and between the value of TLR2s, in order to provide sufficient separation in the salaries to reflect clear, significant differences in the weight and scope of the roles.*

*For guidance, the values attached to TLR posts adopted by the LA for centrally employed teachers follow. These incorporate the 2016 pay award.*

TLR2 a) £2,643  
TLR2 b) £4,404  
TLR2 c) £6,159

TLR1 a) £7,624  
TLR1 b) £9,387  
TLR1 c) £11,144  
TLR1 d) £12,897

The relevant body may award a fixed term third TLR (TLR3), with an annual value of between £523 and £2603, to a classroom teacher for clearly time-limited school improvement priorities or one-off externally driven responsibilities. The duration and payment to be made must be identified and paid on a monthly basis for the fixed term.

It has been clarified in the final version of the STPCD that:-

- A teacher may be awarded more than one TLR3
- A teacher holding a TLR1 or TLR2 may also be awarded a TLR3
- TLR3s paid to part-time teachers are not paid pro-rata

*The LA model pay policy states that the relevant body will consult with staff and Unions, with a view to reaching agreement, before the establishment of any TLR 3 posts.*

*Clear criteria have to be determined for the award of a TLR3 and for the level of payment attached. The LA advises that schools may wish to utilise relevant factors from the list below:*

- *Scope of the role (tight focus or across various departments/age ranges)*
- *Level of responsibility – priority of outcomes (for individuals/school)*
- *Number of colleagues/others to involve/manage/consult/communicate with*

- *Level of specialism/expertise required*
- *Size of the task in terms of quantity of work, number of steps, research/writing required (although this may be accounted for in duration of award)*
- *Involvement of partners/outside organisations.*

*It is further advised that schools adopt 3 potential values, within the range allowed of £523, £1,563, and £2,603. This would enable consistency of approach and sufficient separation between the values of TLR3s, to reflect the recommended clear differences in the weight of the roles.*

### Requirements of TLR Posts

All TLR posts will include a significant responsibility that is not required of all classroom teachers as detailed below, except that factors (c) and (e) do not have to apply to the award of TLR3 posts.

- a) is focused on teaching and learning
- b) requires the exercise of a teacher's professional skills and judgement
- 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 education and 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

In addition, before awarding a TLR 1 the Governing Body will be satisfied that the significant responsibility referred to in the above paragraph includes line management responsibility for a significant number of people, as defined in the school's context.

TLR1s and TLR2s are permanent while the post holder remains in the same post in the staffing structure. A teacher may not be awarded more than one TLR1 or TLR2. A Temporary TLR1 or 2 will only be awarded where the teacher is appointed to cover a post in the staffing structure to which a TLR payment is attached (such as in case of cover for secondments, maternity or sick leave or vacancies pending permanent appointment) and for that duration of that responsibility. A teacher who is awarded a temporary TLR will not receive a safeguarded sum when it comes to an end. The date on which the temporary award will end or the circumstances in which it will end must be included in the teacher's notice of a revised pay determination. When a senior post in the structure is unfilled (on a temporary basis, for whatever reason), the school may share the responsibilities around more than one member of staff, as an alternative to one person acting in the full role. In these circumstances, each staff member should be allocated sufficient extra responsibility to justify the award of a temporary TLR or a temporary uplift to an existing TLR.

When a TLR3 post reaches the end of the fixed term the post holder will not be entitled to a safeguarded sum.

The governing body is bound by the provisions of the current School Teachers' Pay and Conditions document with respect to the safeguarding of Teaching and Learning

Responsibility Payments, where these are either reduced in value or cease to be awarded.

Any teacher who is paid a safeguarded sum will be allocated appropriate responsibilities commensurate with the safeguarded sum, for the safeguarding period.

*It is possible for schools to make adjustments to their staffing structures, to take account of new developments over the implementation period. Any such changes would need to be subject of further consultation, following the regulations introduced in 2005.*

## 7.2 Special Educational Needs Allowances

A SEN allowance of no less than £2085 and no more than £4116 per annum is payable to a classroom teacher in accordance with this paragraph.

The relevant body must award a SEN allowance to a classroom teacher –

- (a) in any SEN post that requires a mandatory SEN qualification;
- (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 until or service;
- (d) in any non-designated setting that is analogous to a designated special class or unit, where the post –
  - (i) involves a substantial element of working directly with children with special needs;
  - (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
  - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school.

Where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors:-

- (a) whether any mandatory qualifications are required for the post;
- (b) the qualifications or expertise of the teacher relevant to the post; and
- (c) the relative demands of the post.



The relevant body must set out in its pay policy the arrangements for rewarding classroom teachers with SEN responsibilities.

Where a teacher is in receipt of a SEN allowance awarded under an earlier Document, the relevant body must –

- (a) determine whether the teacher remains entitled to a SEN allowance
- (b) if so, determine the amount of that allowance,

with effect from 1 September 2010.

*The approach adopted by the Local Authority for centrally employed teachers in the Support Services is as follows:-*

*\* To award a payment at the lower end of the range available (£2085) for any teacher who meets one or more of the criteria listed a) to d) above.*

*\* To award a payment at the maximum of the permitted range (£4116) to any teacher holding a mandatory qualification or designated qualification for the particular service in which they work. For some services this is a contribution of significant appropriate CPD and the necessary relevant experience detailed on the person specification for posts that service.*

*This approach replicates the current system. It is based on the rationale that the different services present different but equal challenges and requirements for a mixture of experience/qualifications. If a school wishes to create a middle point, perhaps to be paid for an intermediate level of additional experience/relevant CPD then it is suggested this is set midway between the 2 spot points above.*

*Schools need to consider the effect of adopting different payments to those offered by other schools. The determination of any spot post other than the 2 nominated above will require a new code on DCC payroll system to be created. Schools will need to be very clear on how any different levels of demand, reflected in salary points presented by posts, are measured.*

### 7.3 Recruitment and Retention

A Relevant Body should clearly state in its pay policy the circumstances in which it will consider, and reasons for, awarding Recruitment and Retention incentives and benefits. *This will avoid inappropriate claims for a Recruitment and Retention incentives and benefits, and potential discrimination.*

The relevant body may make payments for recruitment and retention, or provide other financial assistance, support or benefits to a teacher as they consider necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers. An incentive for the recruitment of a new teacher that consists of periodic payments or the provision of other benefits over a period of time may be awarded for a fixed period.

Where the relevant body is making one or more such payments or providing support, financial assistance or benefits, the relevant body must conduct a regular formal review of all such awards. The relevant body should make clear at the outset the expected duration of any such incentives or benefits and the review date after which they may be withdrawn.

Relevant Bodies are free to determine the value of any reward. The Relevant Body should determine the nature and the circumstances as appropriate, in which they would renew rewards for retention purposes in exceptional circumstances. The Relevant Body should outline in their Pay Policy whether recruitment and retention incentives and benefits should be offered to new or existing teachers. Written notification should be given at the time of the award and state whether the

- award is for recruitment or retention,
- the nature of the award (cash sums, travel or housing costs etc).
- when/how it will be paid, unless this is a one off award,
- the start date and duration of the incentive,
- the basis of any uplifts which will be applied.

Relevant Bodies are free to determine the value of any award, however, any award to a Headteacher, including non-monetary benefits (to which a monetary value must be assigned) is subject to the overall limit on discretionary payments.

*The LA pay policy states that representatives of Professional Associations and Trade Unions will have been consulted about the award of any recruitment/retention incentives/benefits before any decision is made by the Governing Body and the agreed list will be made available to staff . The Governing Body need to be mindful that if a recruitment and retention allowance is awarded to one teacher in a post, all other teachers in similar shortage subject posts (for instance) should also be awarded the same level of allowance, unless there is good reason not to award the same payment.*

*The use of any recruitment or retention payments should be reviewed at least every 3 years to ensure the criteria are still relevant. Annual review is recommended.*

#### 7.4 Acting Allowances

A Relevant Body has discretion to decide whether or not an acting allowance should be paid and from when. If a teacher performs tasks that require the full authority of the post to be exercised then the acting allowance will be paid from, or backdated to, the time when the teacher commenced the acting role. The assumption of an acting role is voluntary for teachers. Where the teacher fills a TLR post on an acting basis they will be paid the usual rate for the post. For leadership posts, a Relevant Body does not have to reflect the pay of the substantive post-holder, however the teacher's pay must be equivalent to the minimum Leadership point payable within the school for any Leadership Group post in which the teacher is acting.

A Relevant Body must consider within 4 weeks of the start of the period of any acting up arrangements whether teachers temporarily carrying out duties of Headteacher, Deputy or Assistant Headteacher or other management responsibility should receive an acting allowance as a separate addition to their normal pay.

*It is expected that where a teacher is required to temporarily carry out duties which would normally attract a higher rate of pay they will receive a temporary acting allowance.*

## 7.5 Other Issues

- Unqualified teachers are paid on a separate unqualified teachers' pay range. The Governing Body must set the pay points within the range for Unqualified Teachers. *The LA recommended policy replicates the previous six point scale.* Newly appointed unqualified teachers will be at the first salary point on the Unqualified Pay Scale or at a higher point if determined by the relevant body, according to their pay policy. Progression through the range is subject to a successful performance review.
- The Relevant Body determines whether teachers on employment based routes into teaching will be employed as qualified or unqualified teachers.
- The Relevant Body determines whether and what extra payments will be made to teachers for continuing professional development, support for initial teacher training, or out of school learning activities.
- The salary of teachers who lose their post as a result of the statutory closure or reorganisation of a school is safeguarded in accordance with the current national statutory arrangements.
- In other circumstances any safeguarding will normally be made in accordance with the current national statutory arrangements.
- All payments made under the School Teachers' Pay and Conditions Document are pensionable with the exception of any financial assistance with housing, relocation costs or travel expenses.

## 7.6 Stepping Down

A Relevant Body must pay a class teacher at point 1 on the Upper Pay Range if:

- They were paid as a Headteacher or Deputy Headteacher before 1 September 2000
- They were appointed to the Leadership Group on or after 1 September 2000 and stepped down after at least one year in the Leadership Group
- The Relevant Body has discretion to pay on a higher point of the Upper Pay Range if they deem it appropriate.

## 7.7 Payment for Continuing Professional Development.

A Relevant Body may make additional payments to teachers who undertake voluntary continued professional development outside of 1265 directed time (pro-rata for part-time teachers).

A Relevant Body must decide which continued professional development teachers will be paid for and set an appropriate level of payment.

### Initial Teacher Training (ITT)

Additional payments may also be made for activities relating to teachers who support initial teacher training activities, only as provided in the ordinary conduct of the school, such as supervising teaching practice, providing feedback, acting as a mentor, running seminars/tutorials and assessing competence. Such activities are voluntary for teachers, excepting Leading Practitioners who have such activities included in their role.

Other aspects of ITT are not part of the ordinary conduct of the school, such as School Centred ITT (SCITT), where schools lead in the provision of ITT Courses eg planning Initial Teacher Training (ITT) courses, preparing course materials, undertaking the marketing, finance administration of courses and taking responsibility for the wellbeing and tuition of ITT students. In these circumstances a separate non-teaching contract should be issued, where the duties require the exercise of a teacher's professional skills and judgement and require that a teacher undertakes activities that go beyond the ordinary conduct of the school. No teacher should routinely carry out administrative or clerical duties in relation to the provision of ITT.

A Relevant Body must decide on the level of payment for such activities, taking account of whether any additional allowances the teacher may hold in their substantive post are pertinent to the duties they will be providing in relation to ITT. This would be taken into account in determining the appropriate level of payment.

## 7.8 Payment for Out of School Learning Activities

A Relevant Body may make payments to teachers who participate in out of school hours learning and decides the level of payment. Teachers' involvement in out of school hours learning activities is entirely voluntary and payments can only be made for substantial and where appropriate, regular commitment outside of a teacher's 1265 hours of directed time. Such payments should be calculated at an hourly rate equivalent to that paid to supply teachers, or a flat rate, provided for in a specific scheme (e.g. one to one tuition).

*The relevant body must ensure that unlawful discrimination does not occur in the exercise of this discretion.*

*[The LA's advice is no payment should be made for out of school activities, except for specific funded schemes. If Governors do decide to make payments they should*

*be equitable and through normal payroll arrangements and in full knowledge of all the implications of doing so].*

#### 7.9 Additional Responsibilities Connected to the Provision of Service to Other Schools

Relevant Bodies may make additional payments for additional responsibilities and/or activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools.

The teacher may be paid for the additional hours, outside of their normal directed time, needed to perform the additional duties. This amount will be specified at the outset of the arrangement. The amount will be calculated in relation to their normal salary calculation.

### 8. Transfer between Schools and Breaks in Service

A teacher's salary is not automatically transferable under the STPCD, on the Main Pay Range or Upper Pay Range, between schools whether or not there has been a break in service. It is for each relevant body to set out its approach to determining the salary offered to teachers on appointment to a post, in its pay policy.

*The relevant body must ensure that unlawful discrimination does not occur in the exercise of this discretion.*

*In the LA model pay policy it is recommended that schools adopt the principle of recognising teachers' previous salary progression, on Main Pay Range and Upper Pay Scale. Schools who do not adopt this approach may run the risk of deterring potential applicants for vacancies and reducing movement between schools. The model policy also includes provisions for determining the placement of new teachers moving from employers utilising different pay ranges on to the school's pay scales.*

### 9. Part-Time Teachers

Part time teachers are eligible for the same salary considerations as full time teachers but will be paid on a pro-rata basis, with the exception of TLR3 payments.

### 10. School Teachers' Pay and Conditions Payments

All payments made under the School Teachers' Pay and Conditions Document are pensionable with the exception of any financial assistance with housing, relocation costs or travel expenses. Emoluments for residential duties, for teachers in residential schools, are pensionable.

### 11. Job Description

*(detailed in Pay Policy)*

## 12. Unsatisfactory Performance

Where a teacher has been notified in writing that his or her performance has not been satisfactory and they have been given timely opportunity to address the issues, there should be no performance pay progression if Formal Competence Procedures or a 'Teachers Experiencing Difficulties' process have been implemented and not successfully concluded. *This will have been considered in the context of the School's Appraisal and Competence Procedures. Teachers who have successfully completed a Teachers Experiencing Difficulties process may be eligible for performance pay progression at the end of the cycle.*

*The performance review will be deemed successful unless significant concerns about standards of performance have been raised in writing with the teacher during the annual performance management/appraisal cycle and have not been addressed through support provided by the school by the conclusion of that process. (See LA recommended Appraisal Policy).*

## 13. Salary Statements

A teacher's Salary Statement will show an assessment of basic salary and allowances. It will also include any safeguarding if appropriate. The Statement should specifically include:

- The teacher's salary scale (Main, Upper Pay Range, Leading Practitioner, Leadership Group)
- The teacher's points entitlement on the Main Scale and Threshold Assessment or Performance on the Upper Pay Range
- Any TLR payment
- Any allowance for teaching children with Special Educational Needs.
- Any Recruitment and Retention benefit, when it will be reviewed, and the date.
- Any other appropriate allowances
- Any appropriate safeguarding
- The Teacher's actual salary

(Please note confidentiality statement in Pay Policy section 4.6)