

SECTION 23 – SCHOOL PAY POLICY

Status of Policy

- This policy was published by the Local Authority in June 2013 and recommended for adoption effective from 1st September 2013 and will be reviewed by the Local Authority in the Summer Term of 2014.
- This policy has been revised to take account of the changes to teachers' pay arrangements set out in the Schoolteachers' Pay and Conditions Document 2013.

If you have any queries about the application of this policy / procedure, please contact your designated HR Advisor.

Governing Bodies are required to adapt parts of this policy to meet their own specific requirements.

This policy and procedure should be applied in accordance with the aims of the Council's Equalities Policy Statement.

Date policy Agreed

Date

National Conditions with elements which are locally determined.
(Contact – Jo Sheen, Assistant HR Business Partner)

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Introduction

The Schoolteachers' Pay and Conditions Document (the Document) places a statutory duty on schools to have a pay policy in place which sets out the basis on which they determine teachers' pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

Schools, when taking pay decisions, must have regard both to their pay policy, the staffing structure, and all procedures regarding support staff pay. A copy of the staffing structure should be attached to the pay policy.

The Governing Body of the school will seek to ensure that all teaching and support staff are valued and receive proper recognition for their work and contribution to school life.

All pay related decisions will be taken in compliance with the provisions of The Equality Act 2010, The Employment Rights Act 1996, The Employment Relations Act 1999, The Employment Act 2002, The Employment Act 2008, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees' (Prevention of Less Favourable Treatment) Regulations 2002, all as amended.

The policy should be reviewed each year, or when other changes occur to the School teachers' Pay and Conditions Document, to ensure that it reflects the latest legal position. The pay policy should comply with the current School teachers' Pay and Conditions 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.

SCHOOL PAY POLICY FOR 1 SEPTEMBER 2013 TO 31 AUGUST 2014

Basic Principles

The Governing Body of St Oswald's CE Primary School will pay teachers in accordance with this pay policy and the relevant School teachers' Pay and Conditions Document, (the Document) and all relevant local agreements. Support staff will be paid using the recommended pay scales for local authority staff and in accordance with their national conditions of service and all relevant local agreements.

Annual determination of pay

All teaching staff salaries, including those of the Headteacher, Deputy Headteacher(s) and Assistant Headteacher(s) will be reviewed annually to take effect from 1 September. The governing body will endeavour to complete teachers' annual pay reviews by 31 October and the Headteacher's annual pay review by 31 December. They will, however, complete the process without undue delay and any changes in pay will be backdated accordingly.

Notification of pay determination

Decisions will be communicated to each member of staff by the Headteacher in writing and will set out the reasons why decisions have been taken. Decisions on the pay of the Headteacher will be communicated by the pay committee, in writing.

LEADERSHIP GROUP PAY

Headteacher's Pay

Pay on appointment

For appointments on or after 1 September 2013, the governing body will determine the pay range to be advertised and agree pay on appointment in accordance with the Document, viz.

- the governing body will review the school's Headteacher group size and the Head's 7 point Individual School Range (ISR) in accordance with the Document
- if the Headteacher takes on permanent accountability for one or more additional schools, the governing body will set an ISR in accordance with the provisions of the Document.
- the governing body will ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the governing body will exercise its discretion and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- the governing body will consider exercising its discretion as specified in the Document to award a discretionary payment where the governing body consider the school would have difficulty recruiting to the vacant Headteacher post;
- The governing body will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Document. However, before agreeing to do so, it will seek external independent advice, for example from the Local Authority before providing such agreement.

Serving Headteachers

The governing body will determine the salary of a serving Headteacher in accordance with the Document.

- the pay committee will review the Headteacher's pay annually and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the Headteacher's most recent appraisal report.
- the pay committee may revise the Head's ISR, **within** the group range for the school, as at 1 September or at any time if they consider it is necessary in accordance with the Document.
- if the Headteacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment as provided for in the Document

- the pay committee will consider the use of discretionary payments, as per the provisions of the Document;
- The pay committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in Document. However, before agreeing to do so, it will seek the agreement of the governing body which in turn will seek advice from the Local Authority before providing such agreement.

Deputy/Assistant Head teachers

Pay on Appointment

The governing body will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the pay committee will determine a 5 point individual pay range in accordance with the Document, taking account of the role of the Deputy/Assistant Headteacher;
- the pay committee will exercise its discretion under of the Document, and pay any of the bottom three points on Deputy / Assistant Head pay range, in order to secure the appointment of its preferred candidate.
- the pay committee will exercise its discretion under the Document where there are recruitment issues.

Serving Deputy/Assistant Head teachers

- the pay committee will review pay annually and award up to two points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the Deputy/Assistant Head's most recent appraisal report;
- the pay committee will review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Head teacher in accordance with the Document;
- the pay committee may determine the Deputy / Assistant Head pay range at any time in accordance with the Document to maintain differentials;

Acting Allowances

Acting allowances are payable to teachers who are assigned and carry out the duties of Head, Deputy Head or Assistant Head in accordance with paragraph 30 of the Document. The pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting postholder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher, who carries out the duties of Head, Deputy Head, or Assistant Head, for a period of *four weeks or more*, will be paid at an appropriate point of the Head's ISR, Deputy Head range or Assistant Head range, as determined by the pay committee. Payment will be backdated to the commencement of the duties.

CLASSROOM TEACHERS

Main Pay Range

The pay points applicable to classroom teachers with effect from **1st September 2013 until 31st August 2014** will be as per the 2012 Document:

Main Pay Range from 1st September 2013	
Pay Point	Financial Value
M1	£21,804
M2	£23,528
M3	£25,420
M4	£27,376
M5	£29,533
M6	£31,868

Pay Decisions for 1st September 2013.

Existing teachers

Existing teachers employed in the school prior to 1st September 2013 will be paid in accordance with the provisions of the 2012 School teachers' Pay and conditions Document (the Document). The pay range for main scale classroom teachers as set out in the 2012 Document (and shown in the table above) applies; as does the progression up the pay scale, normally, by one whole increment.

Teachers *Newly Appointed* to the School from 1st September 2013.

The Governing Body will determine the starting salary of a vacant classroom teacher post on a point within the main pay range or upper pay range, such as the governing body determines appropriate, having regards to:

- The requirements of the post
- Any specialist knowledge required for the post
- The experience required to undertake the specific duties of the post
- The wider school context

The Governing Body will, if necessary, use its discretion to accept the portability of a Teachers' current salary or to award a recruitment incentive payment to secure the candidate of its choice.

Pay Determination for teachers from 1st September 2014

The pay points applicable to classroom teachers with effect from **1st September 2014** will be:

Main Pay Range from 1st September 2014	
Pay Point	Financial Value
MPR1	£21,804
MPR2	£23,528
MPR3	£25,420
MPR4	£27,376
MPR5	£29,533
MPR6	£31,868

Pay Reviews

From 1st September 2014 each teacher will have their pay reviewed by the Pay Committee. This committee will be made up of 3 non-staff members of the Governing Body and these Governors will be separate from those that serve on the school's Pay Appeals Committee.

The Pay Committee will make decisions on teachers' pay based on this pay policy and the school's teacher Appraisal Policy. It is therefore important that this policy is read in conjunction with the school's appraisal policy.

The Pay Committee will:

- Receive recommendations and advice on pay progression for each teacher from the Head teacher. (NB. The Head teacher will also act as moderator of pay recommendations where teacher appraisals, and hence individual pay recommendations, are conducted by staff other than the Head teacher).
- Make decisions on pay progression for each teacher that are clearly attributable to the performance of the teacher in question, with decisions being rooted and justifiable in evidence.
- Ensure that arrangements are made for all teachers to be provided with a written statement from the Head teacher setting out their salary and any other financial benefits to which they are entitled.

In this school, the Pay Committee will examine in detail each pay recommendation that would lead to:

- An accelerated increase beyond 1 full point
- No increase in pay

In addition the Pay Committee will examine in detail each pay recommendation where the Appraiser is the Headteacher.

For other pay recommendations where the Headteacher has acted as the moderator, the Pay Committee will examine in detail a 25% sample of recommendations.

This sampling by the Pay committee and their detailed review of other recommendations will also serve as an equality impact assessment to ensure that

there is no direct or indirect discrimination taking place in relation to pay determination.

Pay Progression

The new main pay range for teachers from 1 September 2014 includes 6 **full** pay points (i.e. points MPR 1 to MPR 6 in the pay table set out above) which should be used as the normal reference for progression decisions. Progression

No teacher will have their pay reduced.

Movement up the main pay range **will normally be by one full point** based on consideration of the following criteria:

- Assessment of performance against the teachers' Standards in accordance with the school's teacher Appraisal Policy
- Assessment of teaching through observations in accordance with the school's observation protocol and teacher Appraisal Policy
- Assessment of performance against their performance management / professional development objectives as determined within the schools teacher Appraisal Policy

To warrant an increase in pay of one point, recommendations for pay progression should be based on evidence that shows:

- The teacher has been assessed as having met the Teachers' Standards. (NB. this includes the teacher having no *live disciplinary warnings and meeting the expectations of Part Two of the Teachers' Standards entitled "Personal and Professional Conduct").
- Their teaching has been assessed through observation in accordance with the school's observation protocol as "good" as defined by Ofsted.
- The teacher has met or made good progress towards their individual performance / professional development objectives.

Please note that the above arrangements apply equally to Newly Qualified Teachers in accordance with the Document and the Regulations covering NQTs specifically.

(* this refers to a warning under the disciplinary procedure that is or has been live during the year under review, in this regard the warning may have ended within the year under review or may still be live. There is no expectation that if a one year warning straddles two performance pay periods that it would apply to both pay reviews; it would only apply once. If for example a warning was issued in June 2014 for a year it would have been considered to be in place at the point of the pay review in September 2014 and may impact on pay progression. By September 2015 it would have lapsed; in such a case the action in relation to pay would have been determined at the first pay review after the warning had been issued and although the warning would, technically, have still been live during the second performance management period under review, it would not be counted twice for pay decision purposes).

See summary table below:

Assessment of Performance Linked to Pay		
Criterion	Assessment	Progression
Teachers' Standards	Met	If all 3 criteria met then progress by 1 full point on the main pay range
Teaching Observations	Good	
Performance Management / Professional Development Objectives	Met / Good progress made	

Accelerated Pay Progression.

If evidence shows that a teacher has exceptional performance, in line with the definitions in the school's Teacher Appraisal policy, the Pay Committee will consider use of its discretion to award more than one full point, up to a maximum of 2 full points in one year.

No Pay Progression.

The Pay Committee will consider use of its discretion to award no progression up the pay range in the following circumstances:

- Where evidence shows that a teacher's performance has failed to meet, fully, the criteria set out in the table above, the Pay Committee will consider use of its discretion to award no progression. In such circumstances the Pay Committee will provide the reasons why the decision was made to award no pay progression.
- Where the teacher's performance is causing concern, or has, during the period under review, caused concern to the extent that action has been taken in accordance with the section of the school's teacher Appraisal Policy entitled "*Dealing with Concerns about a Teacher's Performance*" (Section 16).
- Where the Teacher's performance is being dealt with, or has, during the period under review been dealt with under the School's formal Capability Procedure,

Progression to the Upper Pay Range (Threshold)

Round 13 Applications (September 2013)

If a teacher reached M6 on 1 September 2012 and applies before the 31 October 2013, under Round 13, their application will be assessed using paragraph 20 of the STPCD **2012**, i.e. against the teachers' Standards and the post-threshold standards, having regard to their most recent appraisal reviews.

Other Applications to be paid on the Upper Pay Range.

From 1 September 2013, *any* qualified teacher can apply to be paid on the Upper Pay Range if they believe they meet the school's criteria as listed below, with effect from 1st September 2014.

All applications should include the results of appraisals under the Appraisal Regulations 2012, including any recommendations on pay. Where such information is not applicable or available, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

*Those teachers who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application, from this school and other schools, in support of their application.

Process:

One application per year may be submitted annually. The closing date for applications is normally *31st October* each year for payment to be effective from 1st September of that same year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is as follows:

- teacher completes the school's application form
- teacher submits the application form and supporting evidence to the Head teacher by the cut-off date of *31st October*.
- Where the assessor is to be someone other than the Head teacher, the teacher will receive notification of the name of their assessor for their application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the school's pay committee.
- The application, evidence and recommendation will be passed to the Head teacher for moderation purposes, if the Head teacher is not the assessor;
- The pay committee will make the final decision, advised by the Head teacher;
- Teachers will receive written notification of the outcome of their application by *30th November*. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).
- If requested, oral feedback which will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- Successful applicants will move to the minimum of the Upper Pay Range on 1 September.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the end of this pay policy.

Assessment of Threshold Applications:

The teacher applying to be paid on the Upper Pay Range will be required to meet the criteria set out in the Document, namely that:

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

In this school, this means:

Criterion	Description
Highly competent	The teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the teachers' Standards in the particular role they are fulfilling and the context in which they are working.
Substantial	The teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
Sustained	The teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (*see exceptions). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

Upper Pay Range.

Teachers on the Upper Pay Range will be paid on the relevant point from the pay points shown in the table below:

Upper Pay Range	
Pay Point	Financial Value
UPR1	£34,523
UPR2	£35,802
UPR3	£37,124

Pay determinations effective from 1 September 2013

In accordance with the Document **2012** the pay committee will determine that one point be awarded to a teacher on the upper pay range whose achievements and contribution to the

school, throughout the relevant period (usually two years since achieving their current UPR pay point), have been substantial and sustained.

In reaching its decision, the pay committee shall have regard to the results of the teacher’s two most recent appraisal reports, including any pay recommendation.

Pay determinations effective from 1 September 2014

The pay committee will determine whether there should be any progression for teachers on the Upper Pay Range. In making such a determination, it will take into account:

- how long the teacher has been on their current UPR pay point; progression will only, normally, be considered after 2 years on each point. (In exceptional circumstances the Pay Committee may use its discretion to allow progression after one year on a specific pay point).
- whether or not the teacher has had, normally, two successful appraisals and has made good progress towards their objectives set through the school’s appraisal policy;
- evidence that the teacher has maintained the criteria set out in the 2013 Document that allows for progression from the main pay range to the upper pay range (see table below). **In particular observations of teaching must have been consistently good to outstanding:**

the teacher remains **highly competent** in all elements of the relevant standards; and the teacher’s achievements and contribution to the school remain **substantial and sustained**.

In this school, this means:

Criterion	Description
Highly competent	The teacher’s performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the teachers’ Standards in the particular role they are fulfilling and the context in which they are working.
Substantial	The teacher’s achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

Sustained	The teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (*see exceptions). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding .
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When considering an increase in a teacher's pay on the Upper Pay Range, the Pay Committee's decision will be clearly attributable to the performance of the individual teacher and able to be objectively justified, rooted in evidence.

Where it is clear that the evidence shows the teacher has made good progress, i.e. they continue to maintain the criteria set out above and have made good progress towards their objectives, the teacher will normally move to the next available point on the upper pay range.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above, and where the teacher has met or exceeded their objectives, the Pay Committee may use its discretion to decide on enhanced progression from the minimum to the maximum pay points of the Upper Pay Range. **In such cases teaching should be consistently judged, through observation, as 'outstanding' as defined by Ofsted.**

The pay committee will be advised by the Head teacher in making all such decisions.

Leading Practitioner Posts

Where the Governing Body decides to establish one or more Leading Practitioner posts on the school's establishment, this will be done in accordance with the Document and the additional duties attributable to the post will be set out in the job description of the Leading Practitioner.

The pay committee will determine an appropriate pay range of 5 consecutive points from the following pay scale.

Leading Practitioner Pay Range	
Pay Point	Financial Value
LPP1	£37,836
LPP2	£38,785
LPP3	£39,752
LPP4	£40,743
LPP5	£41,757
LPP6	£42,803
LPP7	£43,856
LPP8	£44,971
LPP9	£46,094
LPP10	£47,277
LPP11	£48,505

LPP12	£49,622
LPP13	£50,863
LPP14	£52,131
LPP15	£53,430
LPP16	£54,849
LPP17	£56,109
LPP18	£57,520

Pay determinations with effect from 1 September 2014

The Head teacher will agree appraisal objectives for the leading practitioner.

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

The pay committee will take account of other evidence. The evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is an exemplar of teaching skills, which should impact significantly on pupil progress, within school and within the wider school community, if relevant;
- has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
- is highly competent in all aspects of the teachers' Standards;
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

NB. "Highly competent", "substantial" are as defined in the section in this policy dealing with the Upper Pay Range.

When considering an increase in a teacher's pay on the Leadership Practitioner Pay Range, the Pay Committee's decision will be clearly attributable to the performance of the individual teacher and able to be objectively justified, rooted in evidence.

Progression up the Leadership Practitioner Pay Range will normally be by one point in any one year, but the Pay Committee may use its discretion to award up to 2 points progression in any one year where the performance of the teacher is shown to be exceptional

The pay committee will be advised by the Head teacher in making all such decisions.

Unqualified teachers

The following categories of unqualified teachers are allowed by law: -

- persons giving instruction in any art, skill, subject or group of subjects (including any form of vocational training) who have special qualifications and/or experience and where no suitable qualified teacher, graduate teacher, registered teacher or teacher on an employment-based teacher training scheme is available;
- overseas trained teachers;
- persons granted a licence under the provisions of Part II of Schedule 2 to the Education (teachers) Regulations 1993;
- student teachers, teacher trainees who have yet to pass the skills test and those undertaking employment based teacher training leading to QTS; or
- Assistant teachers at a nursery school or teachers of a nursery class, who were employed as teachers under the Education (teachers) Regulations 1982 before 1 September 1989.

The pay points applicable to unqualified teachers with effect from **1st September 2013 until 31st August 2014** will be as per the 2012 Document:

Main Pay Range from 1st September 2013	
Pay Point	Financial Value
UQ1	£15,976
UQ2	£17,834
UQ3	£19,692
UQ4	£21,550
UQ5	£23,409
UQ6	£25,267

Pay Decisions for 1st September 2013.

Existing Unqualified Teachers

Existing Unqualified teachers employed in the school prior to 1st September 2013 will be paid in accordance with the Schoolteachers' Pay and conditions Document (the Document). The pay range for unqualified teachers as set out in the 2012 Document (and shown in the table above) applies; as does the progression up the pay scale, normally, by one whole increment.

Unqualified Teachers *Newly Appointed* to the School from 1st September 2013.

The Governing Body will determine the starting salary of the post on a point within the unqualified pay range, and in accordance with the Document, such as the governing body determines appropriate.

Pay Determination for Unqualified teachers from 1st September 2014

The pay points applicable to unqualified teachers with effect from **1st September 2014** will be:

Unqualified teacher Pay Range from 1 st September 2014	
Pay Point	Financial Value
UQ1	£15,976
UQ2	£17,834
UQ3	£19,692
UQ4	£21,550
UQ5	£23,409
UQ6	£25,267

Pay Reviews

From 1st September 2014 each unqualified teacher will have their pay reviewed by the Pay Committee.

The Pay Committee will:

- Receive recommendations and advice on pay progression for each unqualified teacher from the Headteacher. (NB. The Headteacher will act as moderator of pay recommendations where unqualified teacher appraisals, and hence individual pay recommendations, are conducted by staff other than the Headteacher).
- Make decisions on pay progression for each unqualified teacher that are clearly attributable to the performance of the unqualified teacher in question, with decisions being rooted and justifiable in evidence.
- Ensure that arrangements are made for all unqualified teachers to be provided with a written statement setting out their salary and any other financial benefits to which they are entitled.

Pay Progression

The new unqualified teachers pay range from 1 September 2014 includes 6 **full** pay points (i.e. points UQ1 to UQ 6 in the pay table set out above) which should be used as the normal reference for progression decisions.

No unqualified teacher will have their pay reduced.

Movement up the main pay range **will normally be by one full point** based on consideration of the following criteria:

- Assessment of performance against the Teachers' Standards
- Assessment of teaching through observations in accordance with the school's observation protocol.
- Assessment of performance against individual objectives as determined within the schools Teacher Appraisal Policy

To warrant an increase in pay of one point, recommendations for pay progression should be based on evidence that shows:

- The teacher has been assessed as having met the Teachers’ Standards. (NB. this includes the teacher having no *live disciplinary warnings and meeting the expectations of Part Two of the Unqualified teachers’ Standards entitled “Personal and Professional Conduct”).
- Their teaching has been assessed through observation in accordance with the school’s observation protocol as “good” as defined by Ofsted.
- The unqualified teacher has met or, in appropriate circumstances, made good progress towards their individual performance objectives.

(* this refers to a warning under the disciplinary procedure that is or has been live during the year under review, in this regard the warning may have ended within the year under review or may still be live. There is no expectation that if a one year warning straddles two performance pay periods that it would apply to both pay reviews; it would only apply once. If for example a warning was issued in June 2014 for a year it would have been considered to be in place at the point of the pay review in September 2014 and may impact on pay progression. By September 2015 it would have lapsed; in such a case the action in relation to pay would have been determined at the first pay review after the warning had been issued and although the warning would, have technically still been live during the second performance management period under review, it would not be counted twice for pay decision purposes).

See summary table below:

Assessment of Performance Linked to Pay		
Criterion	Assessment	Progression
Teachers’ Standards	Met	If all 3 criteria met then progress by 1 full point on the main pay range
Teaching Observations	Good	
Performance Management / Professional Development	Met / Good progress made	

If evidence shows that a teacher has exceptional performance, in line with the definitions in the school’s Teacher Appraisal Policy, the Pay Committee will consider use of its discretion to award more than one full point, up to a maximum of 2 full points in one year.

If evidence shows that an unqualified teacher’s performance has failed to meet, fully, the criteria set out in the table above, the Pay Committee will consider use of its discretion to award no pay progression. In such circumstances the Pay Committee will provide the reasons why the decision was made to award no pay progression.

The Pay Committee will also consider use of its discretion to award no progression up the pay range in the following circumstances:

- Where the teacher’s performance is causing concern, or has, during the period under review, caused concern to the extent that action has been taken in

accordance with the section of the school's teacher Appraisal Policy entitled "Dealing with Concerns about a Teacher's Performance" (Section 16).

- Where the Teacher's performance is being dealt with, or has, during the period under review been dealt with under the School's formal Capability Procedure,

Other Payments and Allowances Applicable to Teachers

Teaching and Learning Responsibility Payments (TLRs)

After consultation with all schools in York the following pattern of TLR payments has been established on the Council's Payroll System and the Governors will apply the values provided in the table below for posts it identifies in this school that warrant a TLR payment.

CITY OF YORK COUNCIL TLR PAYMENTS			
Temporary TLR Payments (TLR3) Minimum £500 maximum £2,500. Must be for a specified time-limited period.			
TLR Payment Identifying Description	Amount as at 1 September 2013		
TLR3 (a)	£505		
TLR3 (b)	£1,010		
TLR3 (c)	£1,515		
TLR3 (d)	£2,020		
TLR3 (e)	£2,525		
Lower Level TLR Payments (TLR2) Minimum £2,561 maximum £6,259			
TLR Payment Identifying Description	Amount as at 1 September 2013	TLR Payment Identifying Description	Amount as at 1 September 2013
Main TLR Scale	Main TLR Payment Values	Alternative TLR Scale (i)	Alternative TLR Payment Values (i)
TLR2 (a)	£2,561		
		TLR2 (a)i	£2,845
TLR2 (b)	£4,268		
		TLR2 (b)i	£4,551
TLR2 (c)	£5,973		
		TLR2 (c)i	£6,259
Higher Level TLR Payments (TLR1) Minimum £7,397 maximum £12,517			
TLR Payment Identifying Description	Amount as at 1 September 2013		
TLR Scale	TLR Payment Values		
TLR1 (d)	£7,397		
TLR1 (e)	£9,102		
TLR1 (f)	£10,810		
TLR1 (g)	£12,517		

Where teachers are receiving different levels of TLR1 and 2 payments within this school, then the differentials between the value of payments will be £1,500 as a minimum.

The pay committee may award a TLR to a classroom teacher in accordance with the Document. TLR 1 or 2 posts in this school are shown on the staffing structure and are for clearly defined and sustained additional responsibilities for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded.

The Pay Committee will consider awarding a TLR3 payment in circumstances where the school requires a teacher to take on additional for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in the Document. The governing body will set out in writing to any teacher appointed to such a post the duration of the fixed term, and the amount of the award that will be paid. The TLR 3 payments available in this school are as set out in the pay table above. NB. TLR3 payments are not subject to safeguarding.

Special Needs Allowance

Special Educational Needs (SEN) allowances are payable to teachers who spend most or a great deal of their time teaching pupils with statements of special educational needs. The criteria for how these payments are allocated changed from September 2010. An SEN allowance of no less than £2022 and no more than £3994 per annum is payable to a classroom teacher if that teacher:

- is in any SEN post that requires a mandatory SEN qualification; (NB mandatory qualifications in this context are *only* those required specifically for teachers of visually impaired or hearing impaired pupils).
- is in a special school
- teaches pupils in one or more designated special class or units in a school
- is in any non-designated setting (including any PRU) that is equivalent to a designated special class or unit where the post
 - (i) involves a substantial element of working directly with children with special educational needs; (ii) requires the exercise of their professional skills and judgement in the teaching of children with special 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.

Where the allowance is payable the school will determine the spot value of the allowance for each relevant teacher taking in to consideration the structure of the SEN provision and the following factors:

- whether any mandatory qualifications are required for the post the qualifications and expertise of the teacher relevant to the post; and
- the relative demands of the post.

or:

In this School the allowance(s) payable have been determined as follows (insert detail)

Other Additional Payment Provisions Relating to Teachers

All types and grades of teachers, including Headteachers and other members of the Leadership Group, are eligible to be considered for the payments detailed below:-

Recruitment and Retention Allowances

Such incentive allowances may be awarded by the Governing body only to aid the recruitment and/or retention of teachers. It will be for the Governing Body to determine the length of time that such an allowance will remain in place and should be regularly reviewed. Any award made will be for a fixed duration, not exceeding three years. The Governing body will determine whether an annual allowance will be paid with monthly salary or as a lump sum at the end of a fixed period.

Where a teacher is given an incentive or benefit under paragraph Document, written notification given at the time of the award should state:

- whether the award is for recruitment or retention;
- the amount of the award
- when/how it will be paid (as applicable);
- unless it is a 'one-off' award, the start date and duration of the incentive and
- the basis for any uplifts which will be applied (as applicable).

Continuing Professional Development

For any CPD activities taking place at weekends or during school holidays the Governing body will give consideration to payment in the individual circumstances of the case. No additional payment will be made for such activities which take place within the defined working year.

Initial teacher Training Activities

Consideration will be given to payment for activities related to providing routine initial teacher training activities in accordance with the provisions of the Document.

Payment for Out of School Hours Learning Activity

Consideration will be given to payment for involvement in out of school hours learning activities which fall outside a teacher's directed time. Examples of such activities may include homework clubs, summer schools and sporting activities. All such activities should require the exercise of a teacher's professional skills or judgement.

In each of the above three categories payment will usually be made at the teacher's normal hourly rate (based on relevant point on pay scale, excluding any other allowance payments).

If the payment is to be calculated using a different method the teacher should be informed in advance of undertaking the out of school hours learning activity.

Provision of Services by the Headteacher to Other Schools

Consideration will be given to the payment of an additional allowance to a Headteacher who takes on additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools (NB This does not apply where the Headteacher has been appointed on a permanent or temporary basis to an additional school).

Honoraria

The governing body will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

There is no provision within the School teachers' Pay and Conditions Document for the payment of honoraria. Any such award to a teacher for their teaching work would be unlawful.

Other Issues

Calculating Part-time teachers' Pay

The proportion of time a part-time teacher works is calculated against the school's timetabled teaching week (STTW). The STTW refers to the school session hours that are timetabled for teaching, including PPA time and other non-contact time but excluding;

- break times
- registration; and
- assemblies

The STTW of a full-time classroom teacher is used as the figure for calculating the percentage of the STTW for a part-time teacher at the school. The same percentage will be applied to the proportion of directed time required of a part-time teacher.

Where an allowance is paid to a teacher, the same percentage of the full-time allowance will be payable.

A part-time teacher may be requested (**but not required**) to voluntarily work on a day or part of a day they do not normally work and, if agreed, a pro rata additional payment should be made, or time off in lieu agreed, where appropriate.

Short Notice/Supply teachers

Teachers employed on a day-to-day or other short notice basis will be paid in accordance with the provisions of the Document on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata.

Salary Safeguarding for teachers

The Governing Body is required to review the duties of any teachers who are entitled to safeguarded sums that in total exceeds £500 (excluding generally safeguarded recruitment and retention payments) and allocate appropriate additional responsibilities, commensurate with the safeguarded sum, for the period of safeguarding. The Governing Body will ensure

that appropriate notice is given of any new duties which are being given to the teacher as work commensurate with their safeguarded sum. All such additional responsibilities allocated will be kept under review until the safeguarding period ends, when a decision will be taken about the future allocation of those duties.

SCHOOL SUPPORT STAFF

Support Staff Pay

Support staff will be appointed to a post covered by the appropriate LA Conditions of Service and be graded from the scales contained within those conditions. Each post will have a designated job description and grade. Annual incremental progression will take place within the salary grade on 1st April or 1st October each year until the top of the grade is reached. The grade will normally remain static unless a significant increase in the duties and responsibilities attached to the post takes place. Other payments, such as overtime, standby, call out will be payable in line with the appropriate local agreements. The grading structure for Support staff will be reviewed annually at the same time as teaching salaries are reviewed.

Temporary Additional Responsibility Allowance (TARAs)

Temporary Additional Responsibilities (TAR) are defined as duties performed by an employee that are in addition to their own substantive post's duties, are outside the scope of tasks that the employee could normally be asked to do, and are performed for a temporary period only.

Acting Up

Acting up is where an employee temporarily takes on the full range of duties of a more senior post for a period not exceeding six months normally within the same line management structure. Acting up usually occurs while recruitment arrangements are taking place. Where an employee undertakes the full duties of a higher level post, they will be entitled to be paid the minimum level of the grade for that post.

Training Days

All support staff are required to attend for work on the 5 days of the school academic year that are designated as training days, i.e. when pupils are not required to attend school. Part time staff are required to attend a pro rata number of hours / days.

Teaching Assistants

There is a local agreement in place for Teaching Assistants that will be applied to such staff employed in this school. In particular staff employed as Teaching Assistants at levels 3 and 4 should be aware of the following:

Contractual Work Requirements for Teaching Assistant Levels 3 and 4 during School Closure Period

Staff at levels 3 and 4 are paid for the full 52 weeks per year with no abatement of salary in recognition of the fact that they may be contractually required to carry out work during the school closure period as a normal part of their role. This work will be specifically in support of teaching and learning and delivery of the curriculum.

Work at levels 3 and 4 will be **output driven**, with staff working in co operation with teachers and the school's senior management team to ensure all necessary tasks are completed in a timely fashion to fulfil the requirements of the role, specifically in relation to implementing and delivering work programmes for pupils.

The spirit of this agreement aims to recognise that TA staff at levels 3 and 4 will work as professionals that are complementary to teachers and will, to a degree, have freedom to plan their own workload in areas outside of the pupil contact periods. It is in this context that this agreement provides for staff at levels 3 and 4 to work outside of the normal school term time pattern. It is expected that work outside of the normal term time working pattern will need to be undertaken, specifically around areas of planning and preparation of materials in order to fulfil the job role and this is the justification for payment for the full year.

- TAs will not be expected to carry out ad hoc tasks that do not form part of the normal job role for a TA in the school closure period.
- Schools should ensure that a TA has sufficient contractual hours built into their *normal* working week to complete tasks that will require the TA to be *present* at school.
- There will be *no* requirement for staff to actually attend on site at school during the school closure period or to be supervised, other than by mutual agreement.
- It is not expected that there will be either a fixed minimum or maximum amount of time set that a TA at level 3 or 4 will work outside of the term time pattern.
- It will be for the TA to determine in partnership with the school what is reasonable in order to fulfil the tasks necessary to achieve planned outcomes.
- The Headteacher and Governing Body in each school will be expected to ensure an appropriate work life balance is in place for all staff including TAs.

Appeals

A teacher may seek a review of any determination in relation to his/her pay or any other decision taken by the governing body that affects his/her pay. The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination;

That the Pay Committee

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

Each step and action of this process must be taken without unreasonable delay. The timing and location of any formal meeting required must be reasonable. Any formal hearing must allow both parties to explain their cases.

The order of proceedings is as follows:

Once the teacher receives written confirmation of his/her pay determination and where applicable the basis on which the decision was made; if the teacher is not satisfied, he/she should take the following action:

Informal Stage

The teacher should seek to resolve the matter initially by discussing it informally with the Chair of the Pay Committee and the Headteacher and the member of staff making the pay recommendation to the Pay Committee (usually the Headteacher). The teacher should request such an informal meeting for this purpose within ten working days of receipt of the pay decision.

Once such a request for meeting has been received, a meeting should be arranged as soon as possible but no later than 10 working days after receipt of the request. This is an informal meeting and there is no entitlement for the teacher to be accompanied by a trade union representative or colleague.

The Chair of the Pay Committee will consider their decision as a result of the informal meeting and will notify the teacher of the outcome in writing and if the pay decision remains unchanged, this will also include details of how the teacher may appeal formally to the pay appeals Committee.

If for good reason it is not possible to hold an informal meeting or, after such an informal meeting, the teacher continues to be dissatisfied with the decision, he/she may follow a formal appeal process which will take the form of an appeal hearing before the Pay appeals Committee. The teacher is entitled to be accompanied by a colleague or union representative at such an appeal hearing

Formal Stage

The teacher should set down in writing the grounds for questioning the pay decision and send it to the Chair of the Pay Appeals Committee, within ten working days of the notification of the decision being appealed against confirming that the informal stage of the process has been complete or explaining why it was not possible for this stage to be followed.

The Pay Appeals Committee should, where possible, schedule a hearing to be held within ten working days of receipt of the written complaint, to consider it and give the teacher an opportunity to make representations in person.

Appeal hearing

Any appeal should be heard by the school's Pay Appeals Committee which will comprise of three, none staff, governors who were not involved in the original determination. The hearing will take place, normally within 20 working days of the receipt of the written appeal notification.

The appeal hearing will be attended by:

- The teacher appealing the pay decision and their representative if one is being used.
- The Chair of the Pay Committee
- The Headteacher (and/or any other relevant member of staff who made the pay recommendation to the Pay Committee).

The appeal hearing will allow for:

The teacher to set out their case, giving detail of their complaint in relation to the decision regarding their pay.

The Chair of the Pay Committee and the Headteacher (or other relevant member of staff having made the pay recommendation) to set out the detail of the process and steps they took in recommending and making the pay decisions.

Once all parties have given the information and detail they wish to be considered by the Pay appeals Committee, they will withdraw from the meeting and allow the Pay appeals Committee to make their decision in private.

The decision of the Pay Appeals Committee will be sent to the teacher in writing, without undue delay, and copied to all other attendees at the meeting.

The decision of the Pay Appeals Committee will be final.

Template Terms of Reference for Pay Committees for City of York Schools

(Last Verified by CYC June 2013)

Please note that this template covers all possible responsibilities which could be delegated to the committee and as such is for guidance only. The Governing Body needs to adapt these Terms of Reference to suit the individual needs of their school.

Signature of Chair of Governors: _____
Date of Adoption: _____
Date of Review: _____



PAY COMMITTEE

Terms of Reference

The governing body must review the delegation of functions and the establishment, terms of reference and membership of committees annually.

1 COMPOSITION

At least three non-staff members of the governing body with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee. The governing body or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the governing body and within the terms of the School Governance (Procedures) (England) Regulations 2003.

2 QUORUM

The quorum for meetings and any vote will be three governors who are members of the committee, or more, as determined by the committee.

3 TERMS OF REFERENCE OF THE COMMITTEE

The Pay Committee will make decisions on the pay of school leaders and teachers, based on the school's Pay Policy and teacher Appraisal Policy. It is therefore important that the terms of reference are read in conjunction with these policies.

LEADERSHIP GROUP PAY: HEADTEACHER

The Pay Committee will:

1. review the Headteacher's pay annually and award up to two performance points where evidenced;
2. consider revision of the Head's ISR, **within** the group range for the school, at any time if they consider it is necessary and in accordance with the Pay Policy;
3. consider awarding a discretionary payment, as provided for in the Pay Policy, in the event that the Headteacher takes on temporary accountability for one or more additional schools;
4. consider the use of discretionary payments, as per the provisions of the Pay Policy;
5. consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in the Pay Policy. However, before agreeing to do so, the committee will seek the agreement of the governing body, which in turn will seek advice from the Local Authority, before providing such agreement.

LEADERSHIP GROUP PAY: DEPUTY / ASSISTANT HEADTEACHER

The Pay Committee will:

1. determine a five-point individual pay range in accordance with the Pay Policy and taking account of the role of the Deputy/Assistant Headteacher prior to a new appointment being made;
2. exercise its discretion under of the Pay Policy and pay any of the bottom three points on the Deputy / Assistant Head pay range in order to secure the appointment of its preferred candidate;
3. exercise its discretion under the Pay Policy where there are recruitment issues;
4. review pay annually and award up to two points where evidenced;
5. review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Head teacher in accordance with the Document;
6. consider using its discretion to determine the Deputy / Assistant Head pay range at any time, in accordance with the Pay Policy, to maintain differentials.

LEADERSHIP GROUP PAY: ACTING ALLOWANCES

The Pay Committee will:

1. within a four-week period of the commencement of unplanned acting duties, determine whether or not the acting postholder will be paid an allowance.

TEACHERS: MAIN PAY RANGE

From 1st September 2014 each teacher will have their pay reviewed by the Pay Committee.

The Pay Committee will:

1. receive recommendations and advice from the Headteacher on pay progression for each teacher:
2. make decisions on pay progression for each teacher that are clearly attributable to the performance of the teacher and are evidenced;
3. ensure that arrangements are made for all teachers to be provided with a written statement from the Headteacher setting out their salary and any other financial benefits to which they are entitled;
4. consider in detail and with reference to supporting evidence, any pay recommendations which includes an accelerated increase beyond one full point, increases of less than one full point or no increase in pay for individual teachers;

5. examine in detail each pay recommendation where the Headteacher has acted as appraiser;
6. examine in detail a sample of recommendations where the Headteacher has acted as moderator;
7. make final decisions relating to progression to the Upper Pay Range (threshold), advised by the Headteacher.

TEACHERS: UPPER PAY RANGE

The Pay Committee will:

1. determine, with reference to supporting evidence and with advice from the Headteacher, that one point be awarded to a teacher on the Upper Pay Range whose achievements and contribution to the school, throughout the relevant period (usually two years since achieving their current UPR pay point), have been substantial and sustained;
2. determine, with reference to supporting evidence and with advice from the Headteacher, whether there should be any progression for teachers on the Upper Pay Range;

LEADING PRACTITIONER POSTS

The Pay Committee will:

1. consider, with advice from the Headteacher and reference to supporting evidence, the results of a leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay;
2. use its discretion, with the advice of the Headteacher, to award up to two points progression in any one year where the performance of the teacher is shown to be exceptional;

UNQUALIFIED TEACHERS

The Pay Committee will:

1. receive recommendations and advice from the Headteacher on pay progression for each unqualified teacher;
2. make decisions, with reference to supporting evidence, on pay progression for each unqualified teacher;
3. ensure that arrangements are made for all unqualified teachers to be provided with a written statement setting out their salary and any other financial benefits to which they are entitled;

4. consider in detail and with reference to supporting evidence, any pay recommendations which includes an accelerated increase beyond one full point, increases of less than one full point or no increase in pay for individual teachers.

TLRs

The Pay Committee will:

1. consider awarding a TLR to a classroom teacher in accordance with the Pay Policy;
2. consider awarding a TLR3 payment in circumstances where the school requires a teacher to take on additional responsibilities for clearly time-limited school improvement projects, or one-off externally driven responsibilities, as set out in the Pay Policy.

4 FUNCTIONS DELEGATED TO HEADTEACHER

As per the Pay Policy.

5 FUNCTIONS RETAINED BY THE GOVERNING BODY

Responsibility for recruitment and pay of the Headteacher, in accordance with the Pay Policy. Responsibility for the awarding of any recruitment and retention allowances or other permitted payments.

6 APPOINTMENT OF CHAIR AND CLERK

The appointment of the chair shall be determined by the governing body or the committee and reviewed annually. The governing body shall appoint a clerk to the committee. This clerk cannot be the Headteacher or an employee of the school.

7 MINUTES

A written record of the meetings of the committee will be submitted to the next full governing body meeting, through the clerk to the governing body.

8 FREQUENCY OF MEETINGS

Meetings will be held annually, following completion of the school's performance review cycle.

9 CONVENING MEETINGS

A meeting shall be convened by the clerk under the direction of the governing body and the chair of the committee. The clerk will give every member of the committee and the Headteacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration they may determine a shorter period of notice.

Template Terms of Reference for Pay Appeals Committees for City of York Schools

(Last Verified by CYC June 2013)

Please note that this template covers all possible responsibilities which could be delegated to the committee and as such is for guidance only. The Governing Body needs to adapt these Terms of Reference to suit the individual needs of their school.

Signature of Chair of Governors: _____
Date of Adoption: _____
Date of Review: _____



St Oswald's CE Primary School

PAY APPEALS COMMITTEE

Terms of Reference

The governing body must review the delegation of functions and the establishment, terms of reference and membership of committees annually.

1 COMPOSITION

At least three non-staff members of the governing body with voting rights. Members will not be permitted to serve on the Pay Committee and Pay Appeals Committee.

The governing body or the committee may appoint associate members to serve on the committee. Such members may have voting rights only as determined by the governing body and within the terms of the School Governance (Procedures) (England) Regulations 2003.

2 QUORUM

The quorum for meetings and any vote will be three governors who are members of the committee, or more, as determined by the committee.

3 TERMS OF REFERENCE OF THE COMMITTEE

The Pay Appeal Committee will consider appeals against decisions made by the Pay Committee on the pay of school leaders and teachers. These decisions will be based on the school's Pay Policy and teacher Appraisal Policy. It is therefore important that the terms of reference are read in conjunction with these policies.

The Pay Appeal Committee will:

1. schedule a hearing to be held within 20 working days of receipt of a written complaint;
2. consider the complaint and the representations of the teacher;
3. consider the detail of the decision making process as set out by the Headteacher, chair of the Pay Committee or other relevant member of staff;
4. decide whether to uphold or dismiss the appeal;
5. inform the teacher of their decision in writing and without undue delay.

The decision of the Pay Appeals Committee will be final.

4 FUNCTIONS DELEGATED TO HEADTEACHER

None.

5 FUNCTIONS RETAINED BY THE GOVERNING BODY

None.

6 APPOINTMENT OF CHAIR AND CLERK

The appointment of the chair shall be determined by the governing body or the committee and reviewed annually. The governing body shall appoint a clerk to the committee. This clerk cannot be the Headteacher or an employee of the school.

7 MINUTES

A written record of the meetings of the committee will be held on file in school.

8. FREQUENCY OF MEETINGS

Meetings will be held as necessary, in response to receipt of a written appeal following completion of the earlier stages of the appeal process.

9 CONVENING MEETINGS

A meeting shall be convened by the clerk under the direction of the governing body and the chair of the committee. The clerk will give every member of the committee and the Headteacher written notice of a meeting, a copy of the agenda and any papers to be considered at the meeting at least seven day's clear notice before the date of the committee meeting. If the chair of the committee considers that there are matters that demand urgent consideration they may determine a shorter period of notice.