MODEL SALARY POLICY

(Adopted from Bedford Borough Council)

Effective Date: September 2015

Last Reviewed by SLT to use adopted policy: April 2017

Next Review Date: April 2018

Appendix J

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1. Introduction

The Governing Body of * has prepared a policy in respect of pay which recognises the following constraints:-

(a) The requirements of the School Teachers' Pay and Conditions Document

(b) The school's delegated budget

(c) The current staffing structure of the school

(d) 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 of Less Favourable Treatment Regulations) 2002 and the standards for openness and objectivity in public life.

2. Background

(1) The Governing Body of * will operate a policy in respect of its responsibilities as the "relevant body" as defined in the School Teachers' Pay and Conditions Document (and any relevant conditions of service) which will:-

(a) Grade posts appropriately within the conditions of employment identified within the Document and any other relevant conditions of service.

(b) Take into account pay relativities between posts within the school.

(c) The award of teaching and learning responsibility payments, allowances for special needs and incentives for recruitment and retention will be exercised in a fair and equitable manner.

(d) Take into account the outcome of appraisal reviews when reviewing the pay of all staff, including head, deputy and assistant head teachers and threshold applications.

(e) Give recognition to assigned increased responsibility whether on a temporary or a permanent basis.

(f) Take into account, so far as is practicable, pay levels in other schools, both inside and outside the Borough, particularly those of a similar type and in a similar neighbourhood.

(g) Ensure that a review of the pay of all teachers in the school takes place on 1 September of each year and in line with the appraisal cycle.

(h) Operate on a whole school approach so that the pay of no one individual employee is considered in isolation.

(2) This policy statement will be subject to annual review and consultation with the staff of the school and recognised representatives of the professional associations. Staff will receive a statement setting out their pay position within one month of the date of the relevant meeting of the Staffing Committee on Pay. It is the policy of the Governing Body that all teachers should be notified of their pay position from 1st September before 31st December. The timetable for the annual review of staff pay will ensure that information regarding appraisal review outcomes, in accordance with the appraisal policy of the School, can be taken into account.

(3) Having determined the policies set out below, the Governing Body delegates the management of the policy to the Staffing Committee on Pay in consultation with the Head teacher. (Note: The Staffing Committee on Pay will have regard to the School Governors (Constitution and Proceedings) Regulations 2003 in respect of any governors who may have a pecuniary interest in the matters to be discussed. In respect of performance management reviews for heads it should be noted that governors who are also members of staff at the school are excluded from the process). The Head teacher will report to the Committee on those occasions when it may be necessary to exercise delegated responsibility in respect of the discretionary elements of the Document (or other relevant conditions of service).

(4) In exercising their delegated responsibilities, the Governing Body require the Committee to have appropriate regard to the budget approved by the Governing Body and the requirements of employment legislation, particularly the Equal Pay Act and the equal opportunities policy adopted by the Governors. The Governing Body expects the Committee to seek advice from the Schools HR advisers where appropriate. The decisions of the Staffing Committee on Pay will be reported to the full Governing Body as an item to note (but not for further debate).

(5) The salary scales for

- the main pay range;
- the upper pay range;
- the pay range for leading practitioners; and
- the unqualified teacher range

are attached to the school pay policy. (See paragraph 9 of the policy for the pay ranges applicable to staff on the Leadership Group and the salary range applicable to the Head teacher).

(6) Any grievance arising out of this policy will be dealt with under

the pay appeals procedure adopted by the Governing Body. An appeal should be registered within ten days of receiving notification of the annual pay review.

3. Starting Salary of New Appointments

(1) The Governing Body will assess pay in accordance with the relevant School Teachers Pay and Conditions Document[1]. The starting salary for new entrants to the main pay scale without previous teaching or relevant industrial, professional or research experience will be at spine point M1 of the main pay scale.

(2) Where the new entrant to the profession has relevant experience then points may be awarded by reference to paragraph 3(1) above, plus one point in respect of each year of teaching service and other experience considered to be of value in the performance of the teacher's duties on the basis of one full point in respect of each complete period of (1, 2 or 3 years * - delete as appropriate).

(3) The Governors will continue to seek the assistance of the Schools HR advisers to verify teachers' qualifications and previous experience for salary purposes.

(4) Qualified teachers taking up a new appointment or who re-enter teaching after a break in service will be assessed in accordance with paragraphs 3(1) to 3(3) above. This calculation will be carried out whether the teacher was previously employed on a regular full-time, part-time, or occasional supply basis. Where the Governing Body appoints a classroom teacher who was last employed as a head or a deputy, then the teacher must be paid on the first point of the upper pay spine.

(5) Progression on the main professional scale is not automatic and will be subject to an annual performance review (see paragraph 7).

4. The Upper Pay Scale

(1) Any qualified teacher may apply to be paid on the upper pay scale and applications will be assessed in accordance with this policy. It is the responsibility of each teacher to decide whether they wish to apply to be paid on the upper pay scale. Application can be made once each academic year. Applications to take effect on 1 September must be submitted by the previous 30 June.

(2) Applications must include the outcome of the two most recent appraisal reviews including information relating to any recommendation on pay (where the teacher was eligible). The

[1] Note: Paragraph 13.1 "A teacher on the main pay range must be paid such salary within the pay range set out as the relevant body determines."

application must include the evidence from the two most recent appraisal reviews (and made on the proforma available at [address]). Application forms must be submitted to the Head teacher.

(3) An application from a qualified teacher will be successful when 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 purpose of this pay policy:

- "highly competent" means one or more of
  - coaching and mentoring to other teachers;
  - giving teachers advice
  - the ability to demonstrate effective teaching practice
  - assist colleagues to make a wider contribution to the work of the school
  - assist colleagues to achieve the relevant standards and develop their teaching practice.
- "Substantial" means one or more of:-
  - matters of validity and value to the school
  - playing a key part in the life of the school
  - a distinctive contribution to raising pupil achievement
  - professional development used effectively to improve the learning of pupils.
- "Sustained" means continuously maintained over a minimum of two school years.

(4) The assessment will normally be made within 15 working days of receiving the application. When successful, the teacher will move to the upper pay scale on 1 September and start at UPS1. Where the application is unsuccessful the teacher will receive feedback from the Head teacher (or other relevant senior colleague) normally within 5 working days. The teacher has 15 working days in which to submit an appeal from the receipt of the written feedback. Appeals will be heard in accordance with the pay appeal policy.

(5) Progression on the upper pay scale is not automatic and will be subject to annual performance review (see paragraph 7).

5. **Teaching and Learning Responsibility Payments**

(1) The Governing Body will award teaching and learning responsibility payments to classroom teachers undertaking sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. Before awarding

a TLR2 the Governing Body will be satisfied that the teacher's duties include a significant responsibility for which he/she is accountable, which is not required of all classroom teachers and that:-

(a) is focused on teaching and learning;

(b) requires the exercise of a teachers skill 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.

(2) Before awarding a TLR1 the Governing Body will, in addition, be satisfied that the significant responsibility referred to in 5(1) above includes the line management responsibility for a significant number of people.

(3) The Governing Body will award TLRs in accordance with the [attached] staffing structure. The responsibilities which warrant the award of TLRs is clearly set out in the job descriptions for each post.

(4) The Governing Body has determined that where more than one TLR is awarded in a particular range then the differential between the two awards will be a minimum of £1,500.

(5) Temporary TLRs will be awarded where a teacher is appointed to cover a different post in the staffing structure to which a TLR payment is attached (for example, to cover maternity or sick leave or where there is a vacancy pending a permanent appointment). The period for award of a temporary TLR will be set out in the pay statement given to the teacher.

(6) A TLR awarded to a part time teacher will be paid pro rata at the same proportion as the teacher's part time contract.

(7) The Governing Body may award a teacher a TLR3 for a one off time limited responsibility agreed in advance. In determining the award the Governors will also determine the period over which the payment is to be made. Payment will be made in equal monthly instalments. In accordance with the principles set out in the School Teachers' Pay and Conditions Document TLR3 payments awarded to part time teachers will be paid in full (not pro rata).

6. **Recruitment and Retention**

(1) All new payments for recruitment and retention will be made in accordance with paragraph 27 of the Document.

(2) The Staffing Committee on Pay will determine:-

- the level of any award
- the duration of any award (and the timescale for review)
- whether awards for retention purposes should be renewed.

Where an award is agreed the teacher will receive a letter which will indicate:-

- whether the award is for recruitment or retention
- the nature of the award (for example, cash, travel costs, housing costs etc.)
- when and how the award will be paid
- whether it is a "one off" award and, if not, the start date and duration of the award
- the basis of any uplifts that might be applied.

(3) In considering the award of allowances for recruitment and retention, the Committee will have regard to fluctuations in the supply of suitably qualified and experienced teachers. Decisions on the allocation of allowances for recruitment and retention measures will be based on objective evidence collected during the recruitment process. The school will maintain appropriate records in this area.

7. Appraisal and Pay

(1) In carrying out the annual review of staff pay the Staffing Committee on Pay will consider the outcomes of appraisal reviews within the school.

(2) The outcomes of appraisal will determine pay progression on the main pay scale up to point M6 (see pay scale attached).

(3) Movement on the upper spine and the lead practitioner pay spine will depend on the performance of the post threshold teacher and his / her contribution to the school (having) been substantial and sustained.

(4) The Staffing Committee will carefully consider the recommendation of the appraiser in the context of matters such as :-

- Has the teacher maintained or exceeded the relevant professional standards?
- Has the teacher addressed any areas of further development identified or as a result of appraisal review?
- Has the teacher achieved or made good progress towards targets set under the Education (School Teacher Appraisal) Regulations 2012?

(5) The Governors recognise the need for clear, open and objective decision making with regard to appraisal. Targets will be clear, specific and measurable and rooted in evidence. A successful appraisal review as prescribed by the appraisal regulations

involves a process of:-

- performance objectives
- classroom observation (where appropriate)
- other evidence.

(6) Progression on the upper pay scale and the lead practitioner pay scale should be based on **two** successful appraisal reviews. Progression from M1 to M6 should be based on the outcome of annual appraisal reviews.

(7) The Staffing Committee on Pay will consider the recommendations of the appraisal and moderation procedures and satisfy itself that a proper and appropriate process has been followed in dealing with matters relating to performance pay progression in accordance with the requirements of paragraph 7 of this policy.

(8) The process must be subject to review throughout the year in order that targets can be amended as appropriate to reflect external and unforeseen pressures as the appraisal review cycle progresses. The pay scales for classroom teachers, upper pay spine teachers and lead practitioners are attached.

(9) The pay progression of the head teacher and other members of the leadership group will be considered by the Staffing Committee on Pay in the light of the performance criteria agreed as part of the appraiser process and the recommendation of the teacher's reviewer. (See paragraph 9 below)

(10) The Governors recognise that the 2015 School Teachers' Pay and Conditions Document establishes a link between teacher performance and the so called "cost of living" award. In the light of this link the Governors have adopted the following policy:-

(a)	Qualified Teachers:	A 1% uplift on all six salary points for qualified teachers where merited by performance. A decision not to pay 1% would be evidenced by the outcome of a formal capability procedure. The Governors may award 2% for exceptional performance (for example, where the teacher has exceeded targets set as part of performance management review in accordance with the 2012 School Teacher Appraisal Regulations). The uplift of 2% will be paid as a one off annual allowance subject to review during the next appraisal cycle.
(b)	Teaching and Learning Responsibility Payments:	All TLR payments (including TLR3) will be uplifted by 1% with effect from 1 September 2015.
(c)	Special Needs Allowances:	All special needs allowances will be uplifted by 1% with effect from 1 September 2015.
(d)	Unqualified	All six salary scale points recommended by the

	Teachers:	Borough Council will be uplifted by 1% with effect from 1 September 2015. A decision not to pay 1% will be evidenced by the outcome of a formal capability procedure.
(e)	Lead Practitioners:	All scale points recommended by the Borough Council will be uplifted by 1% with effect from 1 September 2015. A decision not to pay 1% will be evidenced by the outcome of a formal capability procedure.
(f)	Leadership Group Pay:	The Governors have adopted a 36 point pay scale for deputy and assistant Head teachers. All points on the 36 point pay scale have been uplifted by 1% with effect from 1 September 2015. With regard to the Head teacher, a separate pay scale is attached to this policy which has been produced in accordance with the group size of the school. Where relevant, and in accordance with the provisions of the 2015 School Teachers' Pay and Conditions Document, salaries on this scale have been uplifted by 1% subject to the statutory constraints on the maximum payment for the group size of the school.

8. **Special Schools and Classes**

(1) The Governing Body will pay SEN allowances to teaching posts that satisfy one or more of the following conditions:

- that require a mandatory SEN qualification
- in special schools and in designated special classes or units
- involve a substantial element of working directly with children with SEN
- require the exercise of a teacher's professional skills and judgements in teaching children with SEN; and
- 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).

(2) The Governing Body will take into account the structure of the school's SEN provision and the following factors:-

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

9. **The Leadership Group**

(1) At the time of appointing a new Head or Deputy Head teacher, the Governing Body (or nominated representatives) will have regard to the requirements of the School Teachers' Pay and Condition Document in respect of an appropriate starting salary.

(2) The Governing Body (or nominated representatives) will determine the starting salary to be paid to the Head in accordance with the appropriate range for the group size of school. The salary range for a group [?] school and the scale for the Head teacher are attached to this policy. The scale for any deputy and assistant Head teachers are also attached. The Head, Deputy or Assistant Head teacher will not be paid below the starting salary on the appropriate range or ISR during the time of his or her appointment to the school. In determining the starting salary, the Governing Body (or nominated representatives) will have regard to the criteria set out in the School Teachers' Pay and Conditions Document.

(3) When conducting the annual review of the pay of the Head, Deputy or Assistant Head teacher, the Staffing Committee on Pay will take into account the performance of the member of staff against the performance criteria determined as part of the appraisal arrangements. The Staffing Committee will consider whether there has been a sustained high quality of performance. Pay progression on the Leadership Group pay scale or the Head teacher group pay scale is not automatic and is subject to an annual review of performance (see paragraph 7 above).

(4) The Staffing Committee on Pay will take decisions in accordance with the principles contained within the School's policy on

appraisal. The salary range for the Head teacher and individual salary ranges for Deputy and Assistant Head teachers will reflect the job weight (as evidenced by the job description), and issues such as the incidents of free school meals, special needs and the ethnic background of children attending the school. The ranges will be reviewed whenever it is necessary to advertise the post, when there is a significant change in the responsibilities of the post (such as a school reorganisation) or, in the case of the Head teacher, a change of group number. The deputy Head teacher and assistant Head teachers will be placed on five consecutive pay points identified by the governing body from the pay spine relevant to the leadership group. The maximum salary available to the deputy Head teacher will be lower than the minimum for the post of Head teacher; the maximum on the deputy scale will be higher than the maximum available to the assistant Head teachers.

(5) The remuneration paid to the head teacher as a result of determination of the ISR will cover the head teacher's full role as set out in Part 9 of the Document including any permanent appointment for the responsibility for more than one school. The Governors recognise that there is discretion to exceed the maximum of the available range where circumstances specific to the role warrant a higher than normal payment.

(6) The total of all discretionary payments made to a head teacher in respect of any school year must not exceed 25 percent of the amount which corresponds to that individual's point on their ISR for that year. All discretionary payments received in relation to the role as a head teacher count towards the limit (with the exception of relocation expenses where it is the policy of the governors to pay such expenses).

(7) The governing body will have oversight of the head teacher's entire role and any paid responsibilities attached to the role. This will ensure that the governing body can take a fully informed decision about the appropriate remuneration for the head teacher and any consequential implications for the pay of other staff who may be taking on additional responsibilities in the absence of the head.

(8) It will be wholly exceptional to make discretionary payments which exceed the limit of 25 percent of the amount that corresponds to the head teacher's point on the ISR in any given year. If it is considered that there are exceptional circumstances that warrant a payment in excess of the limit the pay committee must make a business case for the payment to the full governing body. The governing body is required to seek external independent advice from an appropriate person or body who can consider the provisions of the Document and whether they have been properly applied to the head teacher's pay before making a decision on whether it is justifiable to exceed the limit in the circumstances of the particular case. There must be a clear audit trail for any advice given to the governing body and a full and accurate record of all decisions made by the governing body including the reasons for the decisions.

(9) Where a permanent head teacher and governing body agree to take on significant additional responsibility for extended services on their site and the head teacher is directly accountable to the Council or a Children's Trust, the governing body has the discretion to take this into account when setting the salary scale. Any uplift in pay should be proportionate to the level of responsibility and accountability undertaken. The governing body will also have regard to the remuneration of other teachers who may take on additional responsibility in the absence of the head teacher. The DfE advice makes it clear however that there is a difference between "having an interest in" the quality of a service located on the school site and being "responsible and/or accountable" for that service. "Interest in" is seen as part of the head teachers core role and responsibilities and would not, therefore, attract a salary uplift.

10. **Provision of Services to other Schools**

(1) Any services provided by the head teacher of one school to another school must be authorised formally by the governing body and where the work extends over more than a 12 month period, the agreement of the governing body must be formally reviewed on an annual basis. The governing body will also agree arrangements for terminating such work.

(2) Before such work is undertaken the governing body and the head teacher must take into account:-

- the needs of the school and its pupils;
- the benefits the activity would bring to the school;
- the impact of any absence on other staff, including on their workload, and
- the workload and work life balance of all the individuals concerned

The Governing Body will satisfy itself that the above matters have been fully considered by the school leadership team.

(3) Arrangements for payment for external work, including any personal remuneration, must be clearly stated and formally incorporated into a protocol by the governing body (or the relevant committee) and all decisions minuted with reasons.

(4) The head teacher and the governors will monitor the operation of the arrangements and their impact on staff and pupils and take appropriate action where arrangements prove to be unsatisfactory.

(5) The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the governing body. The terms of such an agreement must be set out in a memorandum signed by the chair of governors and the head teacher and any other members of staff involved.

(6) Any income derived from external sources for the work of

schools staff should accrue to the school. The governing body will decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities and, if so, determine the appropriate amount.

(7) The governing body will ensure that any expenses incurred by the individuals as a result of taking on additional work are reimbursed (unless they are accounted for elsewhere).

11. **INSET and ITT Duties**

(1) In respect of in-service training at weekends and in school holidays, the Governors have agreed that:-

(i) in accordance with DFEE Circular 7/95, in-service training activity at weekends or in holiday periods must be genuinely voluntary;

(ii) payments for such in-service training will be based on the hourly rate applicable at point M6 of the main pay scale;

(iii) these arrangements do not apply to school closure days;

(iv) the Staffing Committee on Pay will not penalise teachers who wish to attend a course on a Saturday if leave of absence would have been granted had the course taken place between Monday and Friday (ie. attendance on the Saturday in such circumstances would attract an appropriate payment).

12. **Out of School Learning Activities**

(1) In respect of out of school learning:-

- participation will be by agreement only;
- the agreement will stipulate the minimum number of days or hours to be worked;
- payment will be made for hours beyond the 1265 directed time and such other time as may be needed to enable teachers to effectively discharge their professional duties;

(2) the Governors have determined that payment will be made at

either (a) point M6 of the main pay scale;

or (b) at the appropriate hourly rate in accordance with the upper pay spine;

or (c) on a point up to point M6 but not below the level at which the teacher is paid for their main professional duties.

(3) In contracting tutors to provide 1:1 tuition the Staffing Committee on Pay recognises that since the contract will be separate to the employee's 'regular' contract then, in accordance with the Document, the Committee can exercise discretion with regard to the amount payable. In order to achieve consistency however, the Committee has decided to adopt the policy in paragraph 12(2) above.

13. **Lead Practitioners**

(1) The Governors may appoint a Lead Practitioner to a post on the staffing establishment of the school and will determine a range of 5 consecutive points within the relevant pay spine when advertising the post. The Lead Practitioner will normally commence duties on the lowest point within the 5 point range.

(2) In setting the range the Governors will consider the nature of the work (including any work with teachers in other schools) the scale of this challenge, any professional competencies required and any relevant recruitment considerations. The Governors will have due regard to the question of salary differentials with other classroom teachers and staff on the Leadership Group.

(3) Pay will be reviewed once per year against agreed performance criteria in accordance with the School's appraisal policy. Movement up the pay spine will be achieved on sustained high quality of performance. (See paragraph 7 above).

14. **Unqualified Teachers**

(1) Salary assessments for unqualified teachers will be carried out in accordance with the principles at paragraphs 3 and 4 above. Graduate and Registered Teachers will normally start at point 3 on the spine for unqualified teachers where such teachers are engaged to fill a vacancy which would otherwise be filled by a qualified teacher.

(2) Progression on the unqualified teacher pay spine will be subject to performance review and progress will not be automatic (see paragraph 7).

(3) The Staffing Committee on Pay will pay an additional allowance to an unqualified teacher, in the context of the staffing structure, where it is considered that the unqualified teacher has:-

- a sustained additional responsibility which is focussed on teaching and learning and requires the exercise of a teacher's professional skill and judgement; or
- qualifications or experience which bring added value to the role he or she is undertaking.

(4) Those beginning work as unqualified teachers with effect from or after 1 September 2011 must be placed on point 1 of the relevant scale unless the governing body determines that they have other relevant experience in which case a discretionary point or points

may be awarded.

15. **Part Time and Short Notice Teachers**

(1) In applying the salary policy adopted by the Governors the Staffing Committee on Pay will determine the pay of part time teachers in accordance with the provisions of the Document and note the requirement to calculate the school's timetable teaching week when determining the pay of part time teachers.

(2) Furthermore, the Staffing Committee on Pay will also have regard to the need to identify holiday entitlement when determining the pay of occasional supply and other short notice teachers in accordance with the Document.

16. **Appeals**

(1) Where a member of staff has concerns about a decision of the Staffing Committee regarding pay the appeal procedure attached to this policy should be followed. Appeals must be on the grounds that the Staffing Committee:-

- incorrectly applied a provision of the School Teachers' Pay and Conditions Document;
- failed to have regard to statutory guidance;
- failed to take account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the teacher.

(2) Appeals will be heard as promptly as possible once the staffing committee has confirmed their decision have conducted a hearing with the aggrieved member of staff. Wherever possible this will be within 15 working days of receiving written notification of the wish to appeal.

17. **Review of the Policy**

(1) The Governing Body will review this policy on an annual basis or on any other occasion when required to do so.

(2) The Staffing Committee on Pay, in liaison with the Head teacher, will consult the staff and the recognised professional associations at the time of the annual or other review of the policy.