



St. Helens  
Council

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## School Pay Policy

**Approved by:**

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Governing Body

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## Version Control

Date	Version	Comments
September 2013	1.0	
September 2014 – September 2018		Appendix 19 outlines all the changes.
September 2019	2.0	Appendix 19 outlines all the changes. Unions have agreed for this to roll over for 2020

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The Governing Body of \_\_\_\_\_ School adopted this policy on \_\_\_\_\_

## **INTRODUCTION**

The Governing Body have adopted this policy, which sets out how decisions on pay are made for both teaching and support staff, and how the Governing Body uses the discretion available in relation to teachers' pay.

This policy cannot override the statutory requirements of national pay and conditions documents. The Governing Body recognises that it is bound by such conditions, and any statutory provisions will take precedence over this policy, including nationally agreed pay awards.

The School Teachers' Pay and Conditions Document does not provide for the payment of bonuses or 'honoraria' payments in any circumstances.

The Governing Body will not make such payments, which if made may constitute unlawful payments linked to the protected characteristics under the Equality Act 2010.

Consultation on this policy has been undertaken with all relevant Trade Unions.

### **Teachers' Pay Awards**

The Governing Body undertake to implement all statutory pay requirements and decide if any discretionary pay elements arising from the School Teachers' Review Body (STRB) are to be implemented. This will be determined normally on an annual basis or more or less frequently if so required.

Decisions on the application of the above are not taken in accordance with this document. This will be a separate decision taken by the Governing Body.

### **NJC Pay Award**

The Governing Body will implement pay awards derived from the Joint Negotiating Committee in respect of those staff employed under NJC conditions i.e. support staff.

### **Legislative Context**

All pay related decisions are made taking full account of the School Appraisal Policy and are taken in compliance with:

- Employment Relations Act 1999 as amended
- The Equality Act 2010
- The Part time Worker (prevention of less favourable treatment) Regulations 2000
- The Fixed Term Employees (prevention of less favourable treatment) Regulations 2002

The Governing Body acknowledges the Department of Education (DfE) warning that pay discretion must not be exercised with the objective of increasing final salary for pension purposes. Teachers' Pensions Regulations allow the Secretary of State to intervene where there is evidence of an unreasonable increase in salary and may disregard for pension purposes any such award.

The Governing Body will exercise its discretionary powers using fair, transparent and objective criteria in order to ensure consistency and fairness in pay decisions and to comply with the school's commitment to equal opportunities.

## **Aims**

In adopting this pay policy the aim is to:

- Provide a framework for pay decisions within the school
- Support recruitment and retention and reward teachers appropriately
- Ensure accountability, transparency, objectivity and equality of opportunity
- Ensure that all teachers including those on leadership, who have successful appraisal reviews can expect progression up to the top of the pay range adopted by the Governing Body.

## **Pay Decisions**

Pay decisions at this school are determined by the Governing Body which can delegate certain responsibilities and decision making powers to a sub-committee or the Head teacher as outlined in appendix 2.

Although referred to as the pay committee in this document, the Governing Body can decide which sub- committee is best able to deal with matters relating to pay. This can be a stand alone committee or part of the responsibility of another sub-committee with the appropriate terms of reference.

The Governing Body will ensure the robust application of both pay and appraisal systems to satisfy Ofsted's key aspect of Section 5 Inspection. See appendix 15.

The school's staffing structure is attached at appendix 5. Changes to the staffing structure will be subject to consultation as required by law and in line with the relevant policies and procedures.

## **MONITORING THE IMPACT OF THE POLICY**

The Governing Body will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups to assess its effect and the continued compliance with equalities legislation. See appendix 15 for the monitoring forms.

## **PAY REVIEWS**

The Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year, and that all teachers are provided with a written statement setting out their salary and any other financial benefits (e.g. TLR's recruitment and retention payments) to which they are entitled. A Pay Statement template is provided at Appendix 7.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be provided after any review and, where applicable, will give information about the basis on which it was made.

Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination. See section on safeguarding details at page 22.

## **OVERVIEW OF TEACHERS PAY**

Classroom teachers are paid on two main pay spines, the Main Pay Range (MPR) and the Upper Pay Range (UPR). Head teachers, Deputy Head teachers and Assistant Head teachers are paid on a separate pay scale, known as the Leadership Spine. Unqualified Teachers and Lead Practitioners also have a distinct pay scale. The schools' agreed pay scales are at Appendix 5.

Teachers can also be paid additional allowances for various reasons as set out in this policy, which reflects the School Teachers Pay and Conditions Document (STPCD). The STPCD is the statutory, national conditions of service relating to teachers pay and is negotiated by central government and national trade union representatives.

### **Qualified teachers**

In order to be classed and paid as a qualified teacher, an individual needs to have either:

- a) Qualified teacher status (QTS) or
- b) Qualified teacher learning and skills status (QTLS)

### **Qualified teacher status (QTS)**

To achieve QTS, an individual needs to complete a period of initial teacher training which enables individual to meet the professional standards for QTS. The standards are a formal set of skills and qualities required to be an effective teacher. QTS is awarded by the National College for Teaching and Leadership having been provided with the individual's course results by their training provider.

### **Qualified teacher learning and skills status (QTLS)**

Since April 2012, further education teachers who have been awarded QTLS by the Institute for Learning (IFL) and are members of the IFL have been recognised as qualified teachers in schools.

### **Classroom teachers**

A classroom teacher is a qualified teacher who is not a member of the leadership group or on the pay range for lead practitioners

### **Unqualified teachers**

An unqualified teacher is an individual who does not have the qualification to be a qualified teacher, who is appointed where a special qualification and/or experience is required to teach a skill or subject e.g. a trade qualification. The Governing Body have agreed an Unqualified Pay Range.

### **Main Pay Range (MPR)**

The Governing Body has agreed a Main Pay Range (see appendix 6). This is the pay spine that qualified classroom teachers entering the profession are paid on. When the offer of appointment is made, the salary is assessed for each individual teacher as set out in ***Pay Determinations on Appointment.***

Progression through the Main Pay Range is not automatic and is based on the annual performance appraisal of the teacher. The standard progression is 1 point following a successful appraisal cycle. Exceptional performance may merit additional spinal points being awarded in any one pay review. A teacher may not progress where concerns are evidenced and their appraisal review has been deemed unsatisfactory. See ***Pay Progression Based on Performance.***

Progression to UPR is not automatic. MPR teachers have the right to request assessment for progression to the Upper Pay Range in line with the criteria set out by this document. See ***Movement to the Upper Pay Range.***

### **Upper Pay Range (UPR)**

A teacher paid at UPR is expected to have met and continue to meet the criteria set out at appendix 8. The Governing Body has agreed an Upper Pay Range (see appendix 6). Progression through the UPR is not automatic and is based on the performance appraisal of the teacher. A UPR teacher must have demonstrated substantial and sustained performance via two successful and consecutive appraisal cycles. A teacher may not progress where concerns are evidenced and their appraisal review has been deemed unsatisfactory. See ***Pay Progression Based on Performance.***

There is no automatic progression from UPR to either the Leadership Spine or the Lead Practitioner pay spine unless an individual applies for and is appointed to a post which is paid on these pay ranges.

### **Leadership Spine**

Head teachers, Deputy Head teachers and Assistant Head teachers are paid on the Leadership Spine. Pay ranges for these post holders are called the Individual School Range (ISR). The Governing Body has agreed that for the Head teacher, this will be a 7-point range and for both Deputy Head teachers and Assistant Head teachers this will be a 5 point pay range. Other posts paid on the leadership spine will also be on a 5 point range. The rules around the setting of the ranges are determined by the criteria set by STPCD. Within this Pay Policy, these issues are dealt with under ***Basic Pay Determinations***

Progression through the Leadership Spine is not automatic and is based on the annual performance appraisal of the individual. The standard progression is 1 point following a successful appraisal cycle.–Exceptional performance may merit additional spinal points being awarded. An individual may not progress where concerns are evidenced and their appraisal review has been deemed unsatisfactory. See ***Pay Progression Based on Performance.***

### **Additional Allowances**

A qualified teacher can receive allowances as set out in ***Additional Payments.***

#### Teaching & Learning Responsibility payments (TLR's).

TLR 2 is awarded where a classroom teacher is undertaking a sustained additional responsibility in the context of the schools staffing structure.

TLR 1 is awarded where a classroom teacher is undertaking the responsibilities of TLR 2, but also has significant line management responsibility.

TLR 3 may be awarded on a fixed term basis for clearly time limited additional responsibility and is therefore temporary.

See ***Teaching and Learning Responsibilities.***

#### Special Educational Needs (SEN) Allowance

An SEN allowance can be awarded to a classroom teacher as per the criteria set out in ***Additional Payment.*** Payments reflect work carried out with pupils / students with special educational needs.

#### Other Payments

Other payments can be made to teachers as determined by the STPCD. In this Pay Policy these are dealt with in ***Additional Payments.***

These payments can cover out of hours learning activities, initial teacher training, continuous professional development, recruitment and retention and payments to a Head teacher who has responsibility for an additional school.

## **SALARY RANGES WHEN ADVERTISING POSTS**

### **Teaching posts**

It is for the Governing Body / Head teacher to determine the salary scale for a post prior to advertisement.

The salary advertised can be a single pay scale, either MPR or UPR or across both pay ranges.

Advertising a post on MPR does not prevent a teacher who is paid on UPR from applying for the post. However, if appointed, the individual would only be offered the post on the MPR range.

### **Leadership posts**

The Governing Body will determine the salary range for leadership posts. (See section on Leadership posts).

### **Support staff posts**

Salary grades for support staff are determined via the locally agreed Job Evaluation process (See section on Support Staff).

## **PAY DETERMINATION ON APPOINTMENT**

### **Scope**

The pay range of the post will be determined prior to the post being advertised. On appointment the individual's starting salary will be determined using the criteria below within the range to be offered to the successful candidate. The pay scales for all posts can be found at appendix 6.

Please note that there are also additional payments (see section on Additional Payments) that can be made to all teaching staff (including those on leadership) above their basic salary scale.

This school will consider any pending pay decisions relevant to individuals on commencement in the autumn term. All pay decisions will be decided with reference to appraisal documentation provided by the previous school.

### **1) Pay Portability**

Pay portability will be used in the first instance to determine a teacher's salary on commencement of employment with the school,

Pay portability will not apply where an individual is paid on a scale point not recognised under the Governing Body's pay range, or where a salary assessment would provide for a higher salary on commencement.

Pay portability for leadership roles will not apply on appointment, as per the School Teachers' Pay and Conditions Document. The Governing Body will place a Head teacher, Deputy or Assistant Headteacher on a point within the pay range ensuring that there is appropriate scope for performance related progression.

When determining the starting salary for a teacher (including those who are lead practitioners paid on the Lead Practitioner Pay Range) who has previously worked in a Local Authority maintained school or Academy in England and Wales, the Governing Body will apply the portability within the advertised pay range. Teachers will be paid at a scale point at the highest possible salary point nearest the teacher's previous salary (i.e. the nearest scale point that offers no or the least detriment). The Head teacher will also assess any pending pay progression if supported with evidence from the teacher's previous school. It is the individual's responsibility to provide the evidence for pay progression. The Head teacher will verify the evidence that has been provided with the school.

Pay portability will be maintained in accordance with the pay range advertised for the post.

### **Stepping down arrangements (on appointment)**

Where a teacher is paid higher than the advertised pay scale, the teacher will be paid at the highest point in the scale to eliminate as far as possible, any financial detriment with their previous salary. In such circumstances, salary safeguarding and portability will not apply.

The teacher will be paid at the highest point in the scale to eliminate as far as possible, any financial detriment with their previous salary.

## **2) Salary assessment where pay portability does not apply**

### **Main Pay Range**

To be paid on this pay range, a teacher must be a qualified teacher – see *Overview of teachers pay – qualified teachers* for the definition.

The Governing Body will apply the following criteria in making pay determinations for all teachers entering the profession/new appointments that are not subject to pay portability as follows:

- One point for each year of service as a qualified teacher in an Independent school, a City Technology College, Free schools, University Technology Colleges and Studio Schools (defined in glossary).
- One point for each year of service as a qualified teacher in higher or further education (including sixth form colleges).
- At the discretion of the Governing Body/Head teacher, one point for each 3 years of non teaching experience spent working in a relevant area determined by the Governing Body/Head teacher, including industrial or commercial training, and other work with children and young people deemed relevant by the Governing Body / Head teacher (see appendix 2 for delegation by the governing body).
- If the Head teacher / Governing Body consider that a teacher's experience or subject expertise merits additional award, the Governing Body / Head teacher will consider exercising it's discretion in awarding additional points. Justification will be provided in writing and referenced in the annual report on pay.

### **Upper Pay Range**

To be paid on this pay range, a teacher must be a qualified teacher – see *Overview of teachers pay – qualified teachers* for the definition.

The Governing Body will maintain the teacher's previous entitlement to be paid on the Upper Pay Range and will also assess any pending pay progression if supported with evidence from the teacher's previous school. It is the responsibility of the teacher to provide evidence. This evidence will be verified by the Head teacher.

### **Unqualified Teachers**

The Governing Body may employ an unqualified teacher in circumstances where:

- No suitable qualified teacher is available
- Special qualifications or experience or both are required

An unqualified teacher employed by the school will be paid on the unqualified pay scale, and salary will be assessed as follows:

- One point for each year of service as a unqualified teacher in an Independent School, a City Technology College, Free schools, University Technology Colleges and Studio Schools.(defined in glossary)

- One point for each year of service as a unqualified teacher in higher or further education (including sixth form colleges),
- At the discretion of the Governing Body/Head teacher, One point for each 3 years of non teaching experience spent working in a relevant area determined by the Governing Body/Head teacher, including industrial or commercial training, and other work with children and young people deemed relevant by the Governing Body (see appendix 2 for delegation by the governing body)
- If the Head teacher / Governing Body consider that a teacher's experience or subject expertise merits additional award, the Governing Body/Head teacher will consider exercising it's discretion in awarding additional points.

Where an unqualified teacher becomes qualified, the Governing Body will ensure that he/she is transferred onto the Main Pay Range on the next spinal point, if applicable, that is higher than their current salary and allowance paid as an unqualified teacher.

### **Lead Practitioners**

The Governing Body may create a lead practitioner post and then determine a 5-point pay range for each Lead Practitioner post within the school, within the pay range for leading practitioners as set out by the School Teachers' Pay and Conditions Document. This pay scale is based on points - 18 of the 2017 leadership spine with the relevant pay awards subsequently applied. When setting the pay range, the Governing Body will take into account:

- the nature of the work being undertaken including any work with teachers from another school;
- the degree of challenge to the role
- the professional competencies required of the post holder;
- such other criteria that may be appropriate.

Newly appointed Lead Practitioners will be placed on the lowest point on their five-point pay range, unless pay portability applies.

### **Leadership posts**

#### **a) Head teacher/Principal/Executive Head teacher**

The Head teacher/Principal/Executive Head teacher will be paid on an Individual School Range (ISR), which consists of 7 consecutive points on the pay spine.

When setting the ISR, the Governing Body will take into account:

- The group size or in the case of a permanent Executive Headship arrangement, the combined group size of the school (as calculated via the School Teachers' Pay and Conditions Document);
- The full permanent responsibilities and accountabilities of the post
- Skills and relevant competences required

- The complexity and challenge of the role

As per the School Teachers' Pay and Conditions Document, on appointment, the Governing Body will place a Head teacher on a point within the pay range ensuring that there is appropriate scope for performance related progression, and therefore pay portability will not apply.

Pay ranges for Head teachers should not normally exceed the maximum of the Head teacher group. However, the Head teacher's pay range (where determined on or after 1 September 2014) may exceed the maximum where the relevant body determines that circumstances specific to the role or candidate warrant a higher than normal payment. The relevant body must ensure that the maximum of the Head teacher's pay range does not exceed the maximum of the Head teacher group by more than 25% unless in exceptional circumstances and where supported by a business case.

The Governing Body will abide by the relevant paragraphs within the School Teachers' Pay and Conditions Document.

For temporary Executive Head teacher appointment, see allowances for Head teachers on page 19.

#### **b) Deputy Head teacher**

The pay range for a Deputy Head teacher will consist of 5 consecutive points on the Leadership Pay Spine.

When setting the pay range for the Deputy Head teacher, the Governing Body will take into account:

- The permanent responsibilities of the post
- Challenges that are specific to the post
- How the role fits within the wider leadership structure
- The minimum point of the range is at least 1 point higher than the highest paid classroom teacher (see appendix 1 for the calculation of the highest paid classroom teacher)
- The maximum of the pay range does not equal or exceed the minimum of the Head teacher's ISR
- The maximum of the pay range is 1 point higher than the highest point of the highest paid Assistant Head teacher

As per the School Teachers' Pay and Conditions Document, on appointment the Governing Body will place a Deputy Head teacher on a point within the pay range ensuring that there is appropriate scope for performance related progression and therefore pay portability will not apply.

#### **c) Assistant Head teachers & other posts paid on leadership spine**

The pay range for an Assistant Head teacher will consist of 5 consecutive points on the Leadership Pay Spine.

When setting the pay range for the Assistant Head teacher, the Governing Body will take into account:

- The permanent responsibilities of the post
- Challenges that are specific to the post
- How the role fits within the wider leadership structure
- The minimum point of the range is at least 1 point higher than the highest paid classroom teacher (see appendix 1 for the calculation of the highest paid classroom teacher)
- The maximum of the pay range does not equal or exceed the minimum of the Head teacher's ISR
- The maximum of the pay range is 1 point lower than the highest point of the Deputy Head teacher's pay range

As per the School Teachers' Pay and Conditions Document, on appointment the Governing Body will place an Assistant Head teacher on a point within the pay range ensuring that there is appropriate scope for performance related progression and therefore pay portability will not apply.

## **PAY PROGRESSION BASED ON PERFORMANCE**

The arrangements for teacher appraisal are set out in the school's Appraisal Policy. Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain.

To be fair and transparent, assessment of performance and the differentials for pay progression will be properly rooted in evidence. Fairness will be assured by annual monitoring of application of the pay policy and pay decisions.

Appraisal reports will contain pay recommendations. Decisions on pay progression will be made by the Pay committee, having regard to the appraisal report and recommendations made. Pay progression cannot be denied nor advocated in response to the school's budget position.

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

## **TEACHERS**

### **a) Newly Qualified Teachers**

The Governing Body will award 1 point only payable from the September following the successful completion of the induction period. -

### **b) Main Pay Range**

Annual pay progression within the range for this post is not automatic and is linked to performance. Teachers will be awarded 1-point pay progression on the Main Pay Range following each successful annual assessment as outlined in the Appraisal Policy. Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

Teachers making exceptional progress as evidenced in the appraisal report may be awarded more than 1-point progression, subject to agreement by the pay committee. The appraisal review must evidence the exceptional performance to support exceptional progress and justify a higher award.

### **c) Upper Pay Range**

Pay progression on the Upper Pay Range will follow two successful appraisal reviews. All UPR teachers must be able to demonstrate substantial and sustained performance to progress through this pay range. Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

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Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following the outcome of two successful appraisal reviews. Teachers making exceptional progress as evidenced in the appraisal report may be awarded more than 1-point progression, subject to agreement by the pay committee. The appraisal review must evidence the exceptional performance to support exceptional progress and justify a higher award.

#### **d) Lead practitioner**

Lead Practitioners must demonstrate sustained high quality performance in the light of their agreed performance objectives and will be subject to a review of performance before any performance points are awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point. Lead Practitioners, who make exceptional progress as evidenced in the appraisal report, may make more than 1-point progression

#### **Leadership**

##### **a) Head teacher**

The Head teacher must demonstrate sustained high quality performance, with particular regard to leadership, management and pupil progress. The Head teacher will be subject to a review of performance against objectives before any incremental progression is awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following a successful appraisal review. Head teachers who make exceptional progress as evidenced in the appraisal report, may receive more than 1 point pay progression.

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

##### **b) Deputy Head teacher and Assistant Head teachers**

Deputies and Assistant Head teachers must demonstrate sustained high quality performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against objectives before any incremental progression is awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following a successful appraisal review. Deputy/Assistant Head teachers, who make exceptional progress as evidenced in the appraisal report, may receive more than 1 point pay progression.

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

#### **Teachers absent because of maternity leave.**

It is unlawful for the school to deny a teacher an appraisal and subsequent pay progression because of her maternity leave. When a teacher returns to work from maternity leave (including if the teacher is subsequently absent through sickness and therefore doesn't physically return to work), the school must consider any pay increases that she would have received, following appraisal, had she not been on maternity leave.

The Head teacher will ensure that the teacher has an appraisal prior to commencing and returning from maternity leave even if this is early in the appraisal year, and basing any

appraisal and pay determination on the evidence of performance to date in that appraisal year. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current year.

The Headteacher will take advice from Human Resources should there be an extended period of sick leave that affects the next appraisal cycle.

### **Teachers absent because of disability related absence**

When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified. It is the employer's responsibility to determine if an individual is considered disabled under the Equality Act. The school will take advice from Human Resources before any decisions on this are made.

## **PROGRESSION TO THE UPPER PAY RANGE**

### **Applications and Evidence**

Qualified teachers in the school who wish to be assessed for progression to the Upper Pay Range must submit their request to the Head teacher, who will be responsible for the assessment of the application. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Range. Any decisions taken on progression need to be approved by the Pay Committee.

Applications from qualified teachers may be made once a year, and should be submitted by \*\*\*\*\*  
(Date to be determined by individual schools).

If a teacher is simultaneously employed at another school(s), they must submit separate applications if they wish to apply to be paid on the Upper Pay Range in that school or schools.

The Governing Body will rely on the outcomes of the two most recent, successful and consecutive appraisal reviews as a qualified classroom teacher as evidence for threshold assessment that is available through the appraisal process. This does not include the assessment at the end of the statutory induction process.

To achieve progression to the upper pay range the teacher's contribution to the school must be substantial and sustained. To be fair and transparent, judgements will be properly rooted in evidence and there must have been a successful review of overall performance, as outlined in the Appraisal Policy.

Where a teacher wishes to apply to be assessed, they must apply in writing using the application form at appendix 9 which should be submitted to the Head teacher. The evidence to be used will be available through the appraisal process.

### **The Assessment Criteria**

An application from a qualified teacher will be successful where the Head teacher 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.
- (c) the teacher has met the expectations for progression to the Upper Pay Range where the school's Upper Pay Range criteria has been satisfied as evidenced by the two most recent, successful and consecutive appraisal reviews. See appendix 9 for Upper Pay Range criteria-

### **Processes and procedures**

The assessment will be made within/by (*insert number of days (e.g. 10/15/20 working days)*)

The Head teacher will take a recommendation to the pay committee who will either approve or reject the Head teacher's recommendation.

If successful, applicants will move to the upper pay range from the date indicated in the relevant Pay and Conditions Document.

If unsuccessful, feedback will be provided by the Head teacher, and will cover the reason for the decision and appeal arrangements available to the teacher.

## **PAY APPEALS**

Any appeal against pay progression decision will be heard under the school's appeals arrangements at appendix 14.

## **PART-TIME TEACHERS**

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time.

NB: A full working week is classed as 32.5 hours as per STPCD.

The Governing Body will provide the part time teacher a written statement detailing their working time obligations and the standard mechanism used to determine their pay.

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary as calculated under the provisions of the School Teachers' Pay and Conditions Document. The same percentage must be applied to any allowances awarded to a part-time teacher (excluding TLR 3).

Any additional hours a part-time teacher may agree to work at the request of the Head teacher (or in the case where the part-time teacher is a Head teacher, at the request of the Governing Body), should also be paid at the same rate.

## **SUPPLY TEACHERS (excluding agency staff)**

Teachers employed on a day to day supply basis (not via an agency) will receive payment as follows:

### a) Salary

Salary on commencement will be assessed on the same basis as a teacher on contract.

### b) Hours

- i) Where the supply teacher is required to remain in the school to either prepare/mark pupils work, or arrive earlier than the beginning of the school day (i.e. for induction/preparation), payment will be made for 6.5 hours
- ii) Where the supply teacher is only required to be available when the pupils are in school, payment will be for the hours agreed by the Head teacher.

## **STEPPING DOWN ARRANGMENTS (existing employees)**

### Lower Pay Ranges

An individual may request consideration to step down to a lower pay range. If the stepping down request is agreed the teacher will be paid at the highest point in the scale to eliminate as far as possible, any financial detriment with their previous salary.

For example:

- a teacher being paid on the Upper Pay Range, who requests to step down, will be paid on the highest point on the Main Pay Range.
- a member of the leadership spine can request to step down to either the Upper Pay Range or the Main Pay Range, and will be paid on the highest point of the relevant pay range.

TLR/Additional allowances

An individual may request to relinquish a TLR or additional allowance. The acceptance of this request is dependent on the school being able to fill the post internally or whether an external appointment is needed.

Stepping down arrangements will be agreed by the Head teacher.

## **ADDITIONAL PAYMENTS**

### **1) Teachers**

#### **a) Teaching and Learning Responsibility Payments (TLRs)**

There are 3 levels of TLRs that can be awarded to a classroom teacher within the school:

##### **TLR 1 and TLR 2**

TLR 1 and TLR 2 will be awarded to a classroom teacher for undertaking significant responsibility that is not required of all classroom teachers, for which the teacher is directly accountable. The TLR responsibilities are established posts and form part of the school's staffing structure. Appendix 11 details the criteria for awarding TLR 1 and 2.

##### **TLR 3**

TLR 3 is awarded on a fixed term basis for clearly time limited school improvement projects or one off externally driven responsibilities. TLR 3 are temporary and do not form part of the school's staffing structure. Appendix 10 details criteria for awarding TLR 3.

##### **TLR bandings**

THE STPC sets out the minimum and maximum values for the 3 TLR bandings.

TLR1 = £8069 to £13654

TLR2 = £2796 to £6829

TLR 3 = £555 to £2757

The schools agreed pay tables are at appendix 5.

**NB:** TLRs will not be awarded to unqualified teachers or Lead Practitioners or members of the leadership team

#### **b) Special Educational Needs (SEN) allowances**

An SEN allowance will be awarded to a classroom teacher:

- In any SEN post that requires a mandatory SEN qualification
- In a special school
- Who teaches pupils in 1 or more designated special classes

In any non-designated setting that is similar in some respects to a designated special class/unit, an SEN allowance will be awarded where the post:

- Involves a substantial element of working directly with children with special educational needs
- Requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs,
- Has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of other teachers in the school.

The value of SEN allowances will be as defined by the School Teachers' Pay and Conditions Document.

The Governing Body will determine the level of SEN allowance to be awarded taking into account:

- The structure of the school's SEN provision
- The relative demands of the post
- Whether any mandatory qualifications are required for the post

**NB:** Unqualified teachers cannot hold SEN allowances.

## **2) Unqualified teachers**

The Governing Body will pay an unqualified teachers' allowance to unqualified teachers when the Governing Body consider their basic salary is not adequate having regard to their responsibilities, qualifications and experience.

An allowance will be awarded where it is considered that the teacher has:

- Taken on sustained additional responsibility which is focused 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 being undertaken

The school will only award allowances in line with the statutory Teachers' Pay and Conditions Document.

To ensure consistency of application, any allowance will be justified in writing and advice will be taken from HR.

## **3) Head teachers**

The Governing Body may determine additional payments to the Head teacher for clearly temporary responsibilities. Payments can be made for:

- Residential duties (these payments are exempt from the 25% allowance)
- The provision of services by the Head teacher relating to the raising of educational standards to one or more additional schools for temporary or time limited activity.
- Where the head teacher has been assigned temporary responsibilities or duties that have not been taken into account when determining the salary range e.g. Temporary Executive Head teacher

The Governing Body will ensure that the total sum of any such payments does not exceed 25% of the amount that corresponds to the Head teacher's annual salary.

#### 4) Teaching Staff

The Governing Body may make other payments to relevant staff in line with the Teachers' Pay and Conditions Document. This includes:

##### a) Continuing Professional Development

Those who undertake directed continuing professional development as agreed by the Head teacher outside the **school day** may be paid. If payment is to be made, this must be in advance of the teacher undertaking this activity. Any payment must be quantifiable and **based on the individual hourly rate minus any allowances unless this is impractical (e.g. it is impracticable to quantify the time spent) in the individual circumstances.**

##### b) Initial Teacher Training Activities

Those who undertake voluntarily school-based initial teacher training activities may be entitled to a payment **based on their individual hourly rate minus any allowances.**

Duties can include:

- supervising and observing teaching practice;
- giving feedback to students on their performance
- acting as professional mentors;
- formally assessing students' competences,
- planning an initial teacher training course;
- preparing course materials
- taking responsibility for the well-being of pupils
- tuition of initial teacher training students.

##### c) Out-of-school Learning Activities

Those who agree and are directed to provide learning activities outside of the normal school hours and whose salary range does not take account of such activity will be entitled to a payment based on **their individual hourly rate minus any allowances or for those paid on the Leadership Spine or Lead Practitioner, at UPR 3.**

The payment for those on the leadership/Lead Practitioner spine differs from other additional payments (Initial teacher training and Continued Professional Development) outlined above as it reflects the work undertaken and not the wider responsibilities of the individual in their normal role.

##### d) Recruitment and Retention Incentives and Benefits

**Payments will only be made for genuine recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.**

The Governing Body will only award recruitment and retention incentives where there is specific evidence to support one of the following criteria:

- where following one or more advertisements it is proving difficult to recruit to a post;
- where a key member of staff with skills and experience that are in high demand is seeking or is likely to seek employment elsewhere.

When awarding recruitment and retention allowances, the Governing Body will take advice from Human Resources.

The Governing Body will review the level of payment/benefits annually in line with the review of all teachers pay as outlined in this policy. Recruitment and Retention payments should only be awarded on a temporary basis.

**NB:** For those on the leadership pay spine, Recruitment and Retention benefits may only be awarded for reasonably incurred housing or relocation costs.

In exceptional circumstances, the Head teacher can make a decision to offer a recruitment and retention allowance to other teaching staff in the school. This is subject to approval by the Chair of Governors/Chair of the Pay Committee. These payments need to be included in the Head teacher's annual report on pay to the governing body, with a rationale as to why this was awarded.

#### **e) Residential duties**

When deciding the level of payment to be made the Governing Body will consult Human Resources and will abide by relevant local and national agreed rates of pay, for the duties and responsibilities being carried out.

In all cases the Governing Body will ensure that payments made are relevant to the work being undertaken and the time this work is being carried out.

#### **NON CONTRACTUAL DUTIES**

Duties that are undertaken outside the STPCD will be paid separately to the teaching contract. These duties do not form part of the teacher's contract of employment and are not pensionable under the Teachers' Pension Scheme.

## **SAFEGUARDING SALARIES**

Where the Governing Body decide to:

- Reduce the number of leadership posts
- Lower the pay range for members of the leadership team
- Delete a TLR post (excluding TLR3)\*
- Reduce the value of a TLR payment
- Change the primary purpose of a teacher paid as a lead practitioner so that it is no longer to model and lead teaching improvement.

The teacher will be entitled to a period of safeguarding as outlined in the School Teachers' Pay and Conditions Document.

Salary safeguarding is not applicable where a teacher has been employed temporarily to cover a higher graded post within the school's staffing structure, and is not deemed permanent in accordance with The Fixed Term Employees (prevention of less favourable treatment) Regulations 2002.

Safeguarding is not applicable at the end of the fixed term period where TLR 3 has been awarded.

**NB:** As per the School Teachers' Pay and Conditions Document the percentage pay award increases shall not apply to that proportion of any teachers salary which comprises a safeguarded sum nor will it apply to Recruitment and Retention benefits previously awarded to Head, Deputy and Assistant Head teachers.

Consultation on this will be carried out under the relevant policy/procedure.

## **ACTING ALLOWANCES**

Where a teacher is assigned and carries out the duties of:

- the Head teacher,
- a Deputy Head teacher,
- an Assistant Head teacher,

but has not been appointed as acting Head teacher/Deputy/Assistant Head the Governing Body will within a period of 4 weeks from the day on which the duties were first assigned, determine whether an allowance must be paid. Where the teacher is not paid an allowance, and the teacher continues to carry out these duties, the Governing Body may at any time make a further determination as to whether or not an acting allowance must be paid.

At the end of the acting period the teacher will revert to his/her substantive post and will not be subject to salary safeguarding.

Where the Governing Body assign a teacher to carry out the duties of a Head teacher, Deputy Head teacher or Assistant Head teacher and an acting allowance is paid, the teacher's total remuneration must not be lower than the minimum of the respective pay range for as long as the acting allowance is paid.

The teacher may be paid an acting allowance with effect from such day on or after the day on which duties of a Head teacher, Deputy Head teacher or Assistant Head teacher are first assigned and carried out as the relevant body may determine.

## **SUPPORT STAFF**

Support staff are covered by the National Joint Council (NJC) conditions of service and local conditions of service. The Governing Body will determine the number and structure of the support staff within the school.

The Governing Body will ensure that support staff salaries are determined via the agreed Job Evaluation Scheme, salary will be paid in accordance with the outcome of the evaluation process agreed with the Job Evaluation panel. These schemes are:

For posts up to SCP 22– National Joint Council Job Evaluation Scheme

For posts from SCP 23 and above – Greater London Provincial Council Scheme.

Evaluations are undertaken by a job evaluation panel comprising of trained Council job evaluation officers and trade unions on behalf of Governing Bodies.

The Additional Payments section referred to in this document does not apply to support staff.

New posts that are created or where there has been a change to a job description must be evaluated, and it is for the job evaluation panel to assess the pay grade.

## Appendix 1

### ROLES AND RESPONSIBILITIES

#### 1) The Governing Body

The Governing Body will be responsible for:

- Establishing and reviewing the school's pay policy and staffing structure
- Establishing a pay committee and a pay appeals committee with delegated responsibility and authority to implement the pay policy on its behalf
- Appointing 2 / 3 Governors (known as the Appointed Governors) to review the Head teacher's performance on an annual basis (see appendix 3 for further information on the composition of the appointed governors)
- Setting and agreeing the school's budget including the staffing budget
- Ensure that all teachers' salaries (including the Head teacher) are reviewed in line with statutory provision.
- Informing Human Resources of the new appointment of a Head teacher, via the 'School's new appointment Form'. Included should be the Head teacher's salary range and salary point on appointment.
- Agreeing pay progression for teachers, including those on the leadership spine.
- Appointing an External Adviser to provide the Governing Body with advice and support in relation to the appraisal of the Head teacher.

The Governing Body can if it chooses delegate the following functions either to the pay committee or directly to the Head teacher:

- Decide on the number of staff the school will have and where staff leave, decide whether to replace.
- Ensuring that all support staff employed on NJC conditions of service roles are evaluated via the locally agreed Job Evaluation Schemes.
- Ensuring that support staff are appointed in accordance with locally agreed pay scales and grades.
- Ensure teaching staff receive a written statement setting out their salary and any other financial benefits they receive.
- Awarding Recruitment and Retention allowances in exceptional circumstances.

It will be for the Governing Body to determine its delegations to either a committee or the Head teacher and these should be recorded on the pro forma at appendix 2. **The Governing Body should delegate the agreeing of pay progression for all teachers including those on leadership to the pay committee to ensure there is an appropriate mechanism for making decisions and hearing appeals.**

#### 2) The Pay Committee

Where the function has been delegated, the pay committee will be responsible for:

- Determining whether to award incremental progression to all teaching staff after receiving recommendations from the Head teacher.
- Determining whether to award incremental progression to the Head teacher after receiving recommendations from the Appointed Governors
- Ensuring that the Head teacher informs Human Resources in writing of any changes to teachers' pay
- Informing Human Resources in writing of any changes to the Head teacher's pay

- Report their decisions to the full Governing Body following any ratification process necessary.
- Agreeing the application for progression to the Upper Pay Range

NB: Although referred to as the pay committee in this document, the Governing Body can decide which sub committee is best able to deal with matters relating to pay. This can be a stand alone committee or part of the responsibility of another sub committee with the appropriate terms of reference.

### **Exemptions for pay and appeal committee membership**

For Governors who are paid employees of the school, the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 indicate that there is a pecuniary and or conflict of interest where they attend meetings where pay and appraisal of other school staff are being discussed, and therefore will need to withdraw from the meeting for this discussion.

Headteachers must also withdraw when their individual pay and appraisal is being discussed.

### **3) The Head teacher**

The Head teacher will be responsible for

- Ensuring each member of the teaching staff is subject to Appraisal and has an appraiser (NB: Appraisers for teaching staff need to hold QTS) to enable appropriate pay decision to be made.
- Setting the appraisal objectives for the Deputy and Assistant Head teachers
- Communicating pay decisions both to the individual and where appropriate to Human Resources using the 'School's In Service Changes Form'.
- Making recommendations to the Pay Committee for pay progression in accordance with this policy for all staff, ensuring they have sufficient information upon which to make their decision.
- Informing Human Resources of the all new appointments, via the 'School's new appointment Form'. Included should be the individual's salary range and salary point on appointment, including justifications if required.
- Developing clear arrangements for linking appraisal to pay progression
- Maintaining records of decisions and recommendations made, demonstrating that all decisions are made objectively, fairly and in compliance with equalities legislation.
- Considering any requests for stepping down arrangements

Where the responsibility has been delegated to the Head teacher by the Governing Body:

- Determining salary on appointment of a teacher
- Awarding Recruitment and Retention Allowances in exceptional circumstances
- Reporting on pay decisions made on an annual basis to the full Governing Body including a report on pay progression decisions for all teaching staff with reference to Ofsted expectations
- Assessing and approving the application for progression to the Upper Pay Range and make a recommendation to the pay committee.

**Appendix 2**  
**Delegation by the Governing Body**

The Governing Body have agreed the following delegations:

Activity	Governing Body	Pay Committee	Head teacher
Deciding on the number of staff the school will have.			
Where staff leave, deciding whether to replace.			
Ensuring that all support staff roles are evaluated via the locally agreed Job Evaluation Schemes.			
Ensuring that support staff are appointed in accordance with locally agreed pay scales and grades.			
Ensure teaching staff receive a written statement setting out their salary and any other financial benefits they receive.			
Determining the award of incremental progression to teaching staff including those on leadership.		This should be the pay committee	This cannot be delegated to the Head teacher
Determining the award of incremental progression to the Head teacher.		This should be the pay committee	This cannot be delegated to the Head teacher
Determining pay scale for teaching post adverts.			
Determining pay scale for leadership post adverts.			
Discretion for assessment of teachers' starting salaries and awarding relevant experience.			

Ensuring Human Resources are informed in writing of any changes to teachers' pay.			
Informing Human Resources in writing of any changes to the Head teacher's pay.			This cannot be delegated to the Head teacher
Report pay decisions to the full Governing Body following any ratification process necessary.			
Ensuring each member of the teaching staff is subject to Appraisal, and-has an appraiser.			
Assessing and approving applications for progression onto the Upper Pay Range.			
Decisions on the awarding of Recruitment and Retention allowances.			
Revision/creation of job descriptions, and submission for evaluation via the Job Evaluation process.			
Produce an Annual Pay Report to the Governing body outlining all pay determinations made in the year (Academic / financial / calendar year to be determined by the Governing Body)	This cannot be undertaken by the Governing Body		
Monitor the outcomes of pay decisions.	Full Governing Body		

The above are examples of particular delegations and Governing Bodies can add to the above to reflect the school's circumstances.

Signed \_\_\_\_\_ Chair of Governing Body

Date \_\_\_\_\_

## Appendix 3

### Appointed Governors

A minimum of 2 governors appointed to review the salary of the Head teacher. These governors, **must not** be teachers or members of staff at the school.

In an aided school with a religious character, where 2 governors are appointed, 1 must be a foundation governor. Where 3 governors are appointed, 2 must be foundation governors.

## **Appendix 4**

### **External Advisors for Head teacher Appraisal**

The Education (School Teachers' Appraisal) (England) Regulations 2012, state that the Governing Body must appoint an external adviser for the purpose of providing it with advice and support in relation to the appraisal of the Head teacher.

Effective external advisors are to provide objective and impartial advice to the governing body and have a professional and independent, relationship with the Head teacher. The adviser should have knowledge of the school, an understanding of performance management and the ability to assist governors to provide sufficient and appropriate challenge to the Head teacher.

### **Role of the External Adviser**

The clear delineation of roles - between an adviser to the Governing Body as opposed to a mentor to the Head teacher – prevents the potential lack of clarity about the external advisor's role and possible divided allegiances. The external advisor is an agent of the governing body and should not therefore have a closer allegiance to the Head teacher.

External advisors should:

- summarise data to give a clear understanding of how the school is performing
- analyse the Head teacher's evidence of progress against objectives
- support the Governing Body in interpreting information and pupil performance data
- bring to bear broad experience working with a number of Governing Bodies and Head teachers
- support, question and challenge the Head teacher
- understand the importance of Head teacher performance management and performance management in schools
- be able to gather sufficient knowledge of the school, its history and its context in order to develop the Head teacher in leading its development

It is not the role of the external adviser to recommend the actual number of points to be awarded.

### **Recruitment an External Adviser**

Governing bodies should appoint external advisors, and in doing so will be mindful of IR35 regulations.

The Governing Body can obtain support and guidance around identifying appropriate external advisors from the LA or relevant Diocese.

When recruiting an external adviser, the Governing Body need to be aware of appointing an adviser who may have an actual, potential or perceived conflict of interest.

## Conflict of Interest

### Definition:

A conflict of interest arises: “*when an individual has competing interests or loyalties that either are, or potentially could be, at odds with each other. A conflict of interest potentially causes an individual to experience a struggle between their personal / professional interests, points of view, or allegiances*”.

For the purpose of this policy, the term ‘conflict of interest’ includes perceived, potential and actual conflicts of interest. A *perceived* conflict of interest is one, which a reasonable person would consider likely to compromise objectivity. A *potential* conflict of interest is a situation, which could develop into an actual or perceived conflict of interest.

The following are examples of where a conflict of interest could be perceived to exist:

- The external adviser is currently supporting the school or providing school improvement support generally in a paid capacity
- Has a close personal relationship/friendship that could be perceived to unduly influence objectivity in the appraisal process of the Head teacher.
- In these or similar circumstances, the Governing Body cannot be assured of objectivity and impartiality from the external adviser.

## **Appendix 5**

### **School to insert agreed pay scales**

The governing body have agreed the following in terms of the maximum point on the Main Pay Range

- 1) All staff will be paid on M6a

## Appendix 6

### Pro forma for Pay Progression decision

Name.....

Pay Point as at 31<sup>st</sup> August 20

Please complete

M1	
M2	
M3	
M4	
M5	
M6	

UPR 1 Y1	
UPR 1 Y2	
UPR 2 Y1	
UPR 2 Y2	
UPR 3 Y1	
UPR 3 Y2+	

#### Leadership Group

Current pay range	
Current spinal point	
Proposed spinal point	

#### **Pay Progression Recommendation**

Recommendation	
Commentary by Appraiser	
Signature / Date	
Commentary by Appraisee	
Signature/Date	

#### **Decision by Pay Committee**

Comment...

Signature

Date

**Appendix 7**

**UPPER PAY RANGE APPLICATION FORM**

**Teacher's Details:**

**Name:** \_\_\_\_\_

**Post title:** \_\_\_\_\_

**Appraisal Details:**

Years covered by planning/review statement: \_\_\_\_\_

Schools covered by planning/review statement: \_\_\_\_\_

**Declaration:**

I confirm that at the date this request for assessment to cross the threshold, I meet the eligibility criteria, and I submit appraisal planning and review statements covering the relevant period.

**Applicant's signature:** \_\_\_\_\_

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

## **Appendix 8**

### **Teaching and Learning Responsibilities (TLR's)**

#### **General information**

TLR 1 and 2 will be awarded to a classroom teacher for undertaking significant responsibility that is not required of all classroom teachers, and for which the teacher is directly accountable. The TLR responsibilities are established posts and form part of the school's staffing structure, and will be paid to a teacher who occupies this post.

TLR 1 and 2 are established posts within the school staffing structure. They may be paid temporarily to a teacher who is acting into either a vacant post, or is covering the absence of the TLR post holder.

TLR 3 is a fixed term allowance, which is awarded for clearly time limited school improvement projects or one off externally driven responsibilities. The duration of the fixed term will be established at the beginning of the contract.

The Governing Body may award different levels of TLR 1 and 2 within the minimum and maximum of each of the TLR bands.

#### **Restrictions**

A teacher may not hold TLR 1 and TLR 2 consecutively, but may hold a TLR 3 in addition to either a TLR 1 or TLR 2 payment. A TLR 1 or TLR 2 can be based on a job description that itemises several different areas of significant responsibility. A TLR 1 and TLR 2 may not be shared between two full-time teachers or between a full-time and a part-time teacher. A TLR can be shared where there is a job share of a post which has a TLR attached.

TLR 1 and 2 awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract.

TLR 3 payments are not pro rata for part time staff.

#### **Criteria for awarding TLR's**

##### **TLR 1**

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

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional 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.

When awarding TLR 1, the significant responsibility referred to (e) above includes additional

line management responsibility for a significant number of people. It is for the school to define what constitutes a significant number of people within the context of the school.

## **TLR 2**

Before awarding a TLR2, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that it:

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional 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.

## **TLR 3**

Before awarding a TLR3, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that it:-

- a) is focused on teaching and learning;
- b) requires the exercise of a teacher's professional judgement;
- c) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.

Where relevant the award of TLR 3 should be open to a process of application and selection within the school. For a TLR 3 payment to be made the work requirements must meet the 3 criteria outlined above. TLR 3 payments should not replace the TLRs established in the school staffing structure. As the award is temporary it does not require staff and Trade Union consultation and the subsequent amendment of the school's staffing structure.

TLR 3 is a fixed term allowance, which is awarded for time limited school improvement projects or one off externally driven responsibilities. The duration of the fixed term will be established at the beginning of the contract. The Fixed Term Employees (prevention of less favourable treatment) Regulations 2002, may apply in circumstances where a TLR 3 payment has been made continuously for a period of four years or more.

Circumstances that could warrant the payment of TLR 3 include:

- A specific one of piece of work that is over and above the responsibility of a classroom teacher in this school.
- External time limited initiatives/projects for which a teacher can be responsible for.
- A task orientated piece of work that does not necessarily have a specific time limit.

## Appendix 9

### Pay and Appeal Committee

The membership and terms of reference for the Committees are as follows:

#### **Membership of the Pay Committee**

The Pay Committee should comprise of a minimum of 3 Governors, who are not employed by the school with the Head Teacher acting in an advisory capacity only.

#### **Membership of the Appeal Committee**

The Appeal Committee should comprise of a minimum of 3 Governors who were not part of the original pay committee making the decision, and are not employed by the school, with a representative from the LA acting as advisor.

**NB: The appeal committee must at least be equal in number to the pay committee who made the first decision.**

#### **Review of Membership**

The Governing Body will review membership and Terms of Reference for both Committees on an annual basis.

#### **Terms of Reference** **Pay Committee**

The responsibilities of the pay committee are:

The Pay Committee will be responsible for:

- reviewing teacher salaries, including those on the leadership spine, each year in line with the school's performance management policy;
  - taking recommendations from:
    - (a) the Head teacher with regard to teachers (including Deputy and Assistant Head teacher) pay progression and
    - (b) the Governors responsible for the Head teacher's performance management
- deciding if, and how many, spinal points should be awarded to individuals in the course of one pay review.
- ensuring that the decisions will be communicated to each member of staff by the Head, in writing and a copy sent to HR
  - ensuring that decisions on the pay of the Head teacher will be communicated by the Chair of the Governing Body, in writing both to the Head teacher and HR
  - ensuring that all pay decisions are made within the remit of the School Teachers' Pay and Conditions Document

## **Appendix 10**

### **Procedure for Pay committee meetings**

The pay committee will meet normally in the Autumn term to receive recommendations and make decisions regarding salaries of all teachers including those on the Leadership Spine who are eligible for pay progression.

The Head teacher will take recommendations regarding pay progression to the Pay Committee for all teaching staff including Deputy and Assistant Head teachers.

The Pay Committee will not make professional judgements about the effectiveness of individual teachers, but will satisfy themselves that the recommendations taken by the Head teacher are evidence based.

For the Head teacher, the committee will take a recommendation from the nominated governors who are responsible for the Head teacher's performance management and will ensure that this is evidence based.

The decisions made by the Pay Committee will be communicated to staff within 7 days of the date of the meeting.

Where pay progression has not been awarded, the individual concerned will receive written details of the reasons why pay progression has not been awarded.

## **Appendix 11**

### **Procedure for Review / Appeal Hearings**

A teacher may seek a review of **any** determination in relation to his/her pay or any other decision taken by the pay committee 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 person or committee by whom the decision was made:

- a) incorrectly applied any provision of the Document;
- b) failed to have proper regard to statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased
- f) otherwise unlawfully discriminated against the teacher
- g) incorrectly applied the School's Pay Policy

The procedure has three stages:

- Stage 1      An informal discussion with the appraiser or head teacher before the pay recommendation is actioned.
- Stage 2      A formal review hearing with the pay committee
- Stage 3      An appeal hearing with the Appeals Committee where the teacher is not satisfied with the outcome of the hearing at Stage 2.

### **Representation**

For any formal hearing or appeal hearing the teacher is entitled to be accompanied by a workplace colleague or trade union representative.

### **Formal Review Hearing**

Formal meeting with the Pay committee

1. The teacher should set down in writing the grounds for seeking review of the pay decision and send it to the Pay Committee who made the determination, within ten working days of the written notification of the decision being received.
2. The Pay Committee should provide a hearing, within ten working days of receipt of the written request for review. The Pay Committee will consider the original decision and provide the teacher an opportunity to make representations in person. The Pay Committee prior to the hearing may take the opportunity to review the paperwork documenting the reasons why progression was denied.
3. Following the review hearing the employee should be informed in writing of the decision and if applicable the right to appeal.

### **Appeal Hearing**

A teacher wishing to appeal must do so in writing stating the grounds for their appeal within 10 working days of written receipt of the decision of the formal review hearing.

The appeal committee will be advised by a Human Resources Officer.

The Head teacher and the Chair of the original pay committee may also seek HR support and advice within the appeal process.

The appeal will take the form of a review of the decision made by the formal review hearing. The appeal committee will consider all documentation considered by the formal review hearing.

The Appeal committee should provide a hearing within 20 working days of receipt of the written appeal and provide the teacher opportunity to make representations in person.

The outcome of any appeal should be communicated in writing and delivered to the employee ten working days of the end of the appeal process.

**Please Note:**

**Any decision taken by the appeal committee shall not be subject to further review and cannot be reviewed under a staff grievance procedure**

## **Appendix 12**

### **Pay Review – Appeal Hearing Procedures**

#### **Introductions**

Chair of Panel introduces all parties, including their roles and outlines order for the hearing

#### **The employee case**

- Employee or their representative presents employee case providing evidence to support their case
- Management representative has the opportunity to question the employee
- Panel members have the opportunity to question the employee

#### **The management case**

- Management representative The Headteacher will present the reasons why a recommendation was made not to allow progression, that was made to the pay committee.
- Employee or their representative has the opportunity to question management representative
- Panel members have the opportunity to question the management representative

#### **Summaries and end of hearing**

- Employee or their representative sum up the employee case
- Management representative sums up management case
- If appropriate, the Chair can sum up the key points on both sides
- Chair will then end the hearing, advising the employee that they will receive the panel's decision within a given timescale

#### **Decision making**

Panel meet to reach their decision and may need to arrange a further meeting in order to review the information and reach their decision.

#### **Communication of decision**

- Employee is notified of the decision
- Decision and reason for the decision confirmed in writing

## Appendix 13 - Pay Report for Governors

PAY PROGRESSION FOR SEPTEMBER --- for INSERT SCHOOL NAME

Data should be a headcount not on an FTE basis

'Does not apply' refers solely to teachers eligible for UPR progression but who do not apply.

Teaching staff eligible for progression

Total staff eligible	Total progressed	Did not apply

Analysis by pay range

Pay scale	Eligible	Progressed	Did not apply
Main pay range			N/A
Upper pay spine			N/A
Eligible to apply for UPR progression			
Lead practitioner			N/A
Leadership			N/A

Analysis by gender

	Eligible	Progressed	Did not apply
Male			
Female			
Other (teachers who identify as neither male or female)			

Analysis by age

	Eligible	Progressed	Did not apply
16-24			
25-34			
35-44			
45-54			
55-64			
65+			

Analysis by ethnicity

	Eligible	Progressed	Did not apply
Asian/Asian British--Bangladeshi			
Asian/Asian British - Chinese			
Asian/Asian British –			

Indian			
Asian/Asian British – Pakistan			
Asian/Asian British - other			
Black/Black British - African			
Black/Black British - Caribbean			
Black/Black British - other			
White British – English			
White British – Northern Irish			
White British – Scottish			
White British – Welsh			
White British – Other			
White other – Gypsy/Irish Traveller			
White other – Irish			
White British – White European			
White British – other			
Mixed/multiple ethnic group - Asian and white			
Mixed/multiple ethnic group - Black African and White			
Mixed/multiple ethnic group - Black Caribbean and white			
Mixed/multiple ethnic group - Other			

Analysis by sexual-orientation - if collected

	Eligible	Progressed	Did not apply
Bisexual/Gay/Lesbian			
Heterosexual			
Other			

Analysis by other protected characteristics

	Eligible	Progressed	Did not apply
Teachers with a disability			
Trans teacher i.e. proposing, undergoing or			

undergone gender reassignment			
Teachers on maternity leave in the school year			
Teachers were trade union representative in the school year			
Teachers absent for at least 1 month in the school year			
Teachers absent for hospital treatment for at least a month in the school year			

## Appendix 14

### Ofsted School Inspection handbook

- Inspectors will not check on the process for the performance management arrangements for school leaders and staff and Ofsted does not require schools to provide anonymised lists of teachers meeting or not meeting performance thresholds for pay progression.
- Ofsted does not expect headteacher performance objectives to include targets relating to the proportion of good or better teaching. Ofsted does not have specific expectations about the content of, or approach to, headteacher performance management.
- Inspectors do not expect school leaders to set teacher performance targets based on commercially produced predictions of pupil achievement, or any other data set, from which they would then hold teachers to account.
- There is no expectation that schools need to have policies relating to staff behaviour in any particular format. Inspectors will not expect to see a separate code of conduct document and Ofsted does not have any specific expectation as to the content of any such policy.

## Appendix 15

### Glossary of Terms

TLR	Teaching and Learning Responsibility
MPR	Main Pay Range
UPR	Upper Pay Range
ISR	Individual School Range
SEN	Special Educational Needs (allowance)
STPCD	School Teachers' Pay and Conditions Document
NJC	National Joint Council (for Local Government Service)
HR	Human Resources
Free Schools	All ability stated funded schools set up in response to what people say they want and need in order to improve education for children in their community
University Technology Colleges	Academies for 14 – 19 year olds. Focus on providing technical education that meets the needs of modern employers. They offer technical courses and work related learning combined with academic studies
City Technology Colleges	Independent schools in urban areas that are free to attend. They are owned and funded by companies as well as central government. They have a particular emphasis on technological and practical skills.
Studio Schools	Offer academic and vocational qualifications but teach them in a practical project based way. Study is combined with work placements at local and national employers who are involved in the school.
Main Pay Range Teacher	A qualified teacher (including an NQT) who has yet to progress to the upper pay range.
Upper Pay Range Teacher	A teacher who has applied and has been assessed as meeting the required standards.
Unqualified Teacher	A teacher who does not have either Qualified teacher status or Qualified teacher learning and skills.
Leadership	A Head teacher, Deputy head teacher or Assistant Head teacher paid on the leadership pay spine
Lead Practitioner	A teacher who's in a post the primary purpose of which is to model and lead improvement of teaching skills.

Independent School	A school which is independent in its finance and governance, and is not dependant on national or local government for financing its operation.
Qualified teacher	A teacher who holds either Qualified teacher status or Qualified teacher learning and skills.
Classroom teacher	A classroom teacher is qualified teacher who is not a member of the leadership group or on the pay range for lead practitioners

## **Appendix 16 Summary of Changes since 2013**

### **2013**

#### **National Changes**

- Annual increments will be awarded based on length of service for the final time in September 2013. All future pay progression will be linked to performance against Teachers' Standards and appraisal objectives, including the potential to award more than 1 point progression.
- Statutory pay scales are replaced by a minimum and maximum salary range, with pay levels within that range to be at the discretion of each school. There is currently no change to the pay scale for those paid on the leadership pay arrangements.
- The introduction of a new "Lead Practitioner" designation and removal of the existing Advanced Skills Teacher and Excellent Teacher Designations from September 2013. If a school appoints to a Lead Practitioner post the primary purpose would be to model and lead the improvement of teaching skills.
- The ability of teachers to progress more quickly through the pay range based on school determined criteria.
- The removal of any obligation on schools to match a teacher's existing salary upon recruitment.
- The removal of the three-year limit on recruitment and retention allowances

#### **St Helens Pay Policy changes**

- Main and Upper Pay Ranges of 6 points and 3 points respectively have been retained in order to provide a consistent approach across all schools in St Helens.
- The existing threshold test for progression to the Upper Pay Range has been retained driven by a teacher led application process.
- The retention of the commitment to the maintenance of existing salary (portability) when moving between schools, with greater flexibility to determine teachers starting salaries on either Main or Upper Pay Ranges.
- Provides the ability for a teacher to step down voluntarily during employment, from one pay range to another, with the agreement of the school.
- Removes the three-year limit on recruitment and retention allowances
- Greater clarity on the responsibility for pay decisions between the Governing Body, Pay Committee and Head teachers and the importance of demonstrating a strong link between appraisal and salary progression, in line with Ofsted's judgement of the quality of leadership and management of the school.

- Outline procedures for Pay Committee meetings and Appeal Hearings and the arrangements for teachers to appeal against any element of their pay determination.
- A model pay statement to assist schools in meeting their obligation to provide an annual individual breakdown of teachers' pay.
- Pro-formas to assist the annual monitoring of teachers' pay across the school
- A delegation checklist to aid Governing Bodies understanding and decision making in terms of who is able to make pay decisions on the various elements of teachers pay across the school

## **2014**

### **National Changes**

- Details of the September 2014 pay award – 1% to be applied for all minimum and maximum points on each pay range including allowances
- Revised framework for setting pay for leadership positions.
- Simplified leadership pay arrangements – including bringing leadership allowances into base pay, save for exceptional, time-bound payments e.g. removal or relocation expenses
- Removal of prescribed differentials between allowances.
- Removal of existing requirement for pay differentials between roles.

### **St Helens Pay policy**

- 1% pay award to be applied to all points within every pay range
- Governing Body to agree pay award prior to payment being made
- Retain the 7 point ISR for head teacher and 5 point range for deputy and assistant head teachers
- To retain £500 between each TLR value
- Retain 1 point differential in pay spines between leadership roles

## **2015**

### **National Changes**

September pay award – 1% to be applied to minimum and maximum of pay ranges with the exception of:

- No increase to the maxima of the eight head teacher pay groups
- 2% uplift on the maximum of MPR

Decisions on implementing the national changes to pay will be taken via options contained in the Autumn Term 2015 School Teachers Pay Award 2015 report to Governing Bodies.

### **St Helens Pay policy**

Governing Bodies to decide how to implement the pay award. Schools to insert a copy of their agreed pay scales.

## **2016**

### **National Changes**

September pay award – 1% to be applied to minimum and maximum of pay ranges including allowances

### **St Helens Pay policy**

Governing Bodies to decide how to implement the pay award. Schools to insert a copy of their agreed pay scales.

Information on External advisers.

Revised appendix 16 on Ofsted guidance.

## **2017**

### **National Changes**

September pay award – 1% to be applied to minimum and maximum of UPR, Lead Practitioner and Leadership pay ranges including allowances. 2% to be applied to the minimum and maximum of MPR pay range.

### **St Helens Pay policy**

Governing Bodies to decide how to implement the pay award. Schools to insert a copy of their agreed pay scales.

Revised appendix 16 for monitoring pay decisions.

## **2018**

### **National Changes**

September pay award –

- i. a 3.5% uplift has been applied to the statutory minima and maxima of the main pay range and of the unqualified teachers pay range.
- ii. a 2% uplift to the statutory minima and maxima of the upper pay range, the leading practitioner pay range and all allowances across all pay ranges.
- iii. a 1.5% uplift to the leadership pay ranges (including headteacher groups).

### **St Helens Pay policy**

Clarification of appraisal following maternity leave.

Clarification on membership of pay and appeal committees

Schools to clarify at appendix 5 how the maximum of MPR pay range is reached

2019

### **National Changes**

September pay award –

A 2.75% uplift has been applied to the statutory minima and maxima of all pay ranges and allowances

### **St Helens Pay Policy**

Additional payments updated in line with 2.75% pay award

Pay portability – clarification that leadership includes Deputy and Assistant Headteacher.

Lead practitioner– Clarification of the pay scale

Support staff– SCP's updated in line with revised pay spine

Appendix 1 – Exemptions for pay appeal revised in line with updated guidance

Appendix 2 – clarification on delegations

Appendix 7 – clarification on where staff can access the school's pay policy

Appendix 9 – school now to insert their own criteria

Appendix 14- Clarification that pay committee can take advice before any formal review hearing

Appendix 15 – Clarification of procedures for Appeal hearing

Appendix 17 – Updated in line with Ofsted School Inspection handbook – August 2019