



Consilium Academies

TRUST PAY POLICY

SEPTEMBER 2017

Aligned with School Teachers' Pay and Conditions Document

Updated November 2018

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1.0 INTRODUCTION

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with the following legislation: the Employment Relations Act 1999, the Equality Act 2010, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed-Term Employees (Prevention of Less Favourable Treatment Regulations 2002. In addition it complies with the requirements of the School Teachers' Pay and Conditions Document (STPCD). It follows the model policy guidance offered through Rotherham and Salford LA including their associated trade union consultation processes.

This pay policy aims to:

- Maximise the quality of teaching and learning at the school, by ensuring that implementation of the policy takes full account of the school's plans for improvement and development.
- Have proper regard for the work/life balance of staff at the school.
- Recruit, retain, motivate and develop staff.
- Be able to demonstrate that the policy and decisions on pay are managed in a fair, just and equitable way, recognising the principle of equal pay for like work and work of equal value.
- Determine the annual pay budget, including that for pay progression, compatible with the school's overall budget position.
- Be consistent with the appraisal policies in each school.
- That the impact of the exercise of pay discretions does not contravene the Equality Act 2010.
- Provide a consistent framework for the trust's partner schools to operate within whilst retaining flexibility to respond to the needs of individual schools in terms of staffing requirements.

Pay decisions a school level are made by the Governing Body committee/board and reported to the Trust Directors Board. Pay recommendations for the Headteacher are made to the Trust Board for final approval. This is in line with Consilium Academies Scheme of Delegation.

All teachers employed in Consilium Academies partner schools are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document (and associated updates).

All support staff employed in Consilium Academies partner schools and in the central trust team are paid in accordance with the statutory provisions of the National Joint Council Terms and Conditions of Employment (and associated updates).

2.0 PAY REVIEWS

In line with STP&C, the Local Governing Body (LGB) will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year (with the exception of Headteachers and movement to the upper pay range), and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled. (Eg Additional Allowances).

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 given 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 LGB will give the required notification as soon as possible and no later than one month after the date of the determination.

A final report covering all staff pay will be collated and provided to the central trust team following completion of this activity. The central trust team will be responsible for reviewing the approach taken and ensuring this is consistent in all trust partner schools.

3.0 BASIC PAY DETERMINATION ON APPOINTMENT

Working with the Trust, the LGB will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.

Workforce planning will inform this process which includes clear consideration of:

- The nature of the post and where it fits in the school structure.
- The level of qualifications, skills and experience required.
- Any appropriate recruitment and retention requirements.
- The wider school and local community context.

3.1 Leadership Positions

When determining the pay range for leadership positions, all permanent responsibilities of the role, challenges specific to the role and other relevant considerations will be taken into account. There will be appropriate scope within the range to allow for performance related progression.

Head teachers and Senior Leaders

Decisions on setting or amending pay ranges for Head teachers will be taken in accordance with the relevant paragraphs of the current STP&CD which deals with the determination of the school's head teacher group and head teacher pay range. This process will be completed by the LGB working in partnership with the central trust team.

Pay ranges for Headteachers should not normally exceed the maximum of the Headteacher group however in circumstances where the LGB determines that it is appropriate to extend the individual's pay range of a Headteacher this will be done in line with the appropriate STP&C condition and be subject to formal approval by the Directors Board. The LGB may also award temporary additional responsibilities via an additional payment which will not affect the Head teacher's pay range.

Where an agreement is made that a Head teacher will be responsible for more than one school, either through a permanent or temporary (not exceeding 2 years) arrangement, the appropriate

considerations will be made following the calculation for school group size covering the pupil numbers in both schools and not exceeding the limitations for any temporary additional payments in accordance with STP&C. Any agreement will be subject to full negotiation with the appropriate LGB and final approval by the Directors Board. Where a temporary arrangement is in place this will not be subject to safeguarding.

The same approach will be established for Deputy and Assistant Head teachers and the LGB will follow the same principles for pay range, additional payments and temporary additional responsibilities as outlined above.

3.2 Other Teachers Pay Ranges

Except in exceptional circumstances, and in line with equality legislation, the starting pay for all classroom teachers must fall within the range advertised for the job.

3.2.1 Lead Practitioners

The LGB will agree the appointment of a Lead Practitioner post with the Trust including the determination of the individual pay range for that post (within the overall national pay range for leading practitioners) and the expectation is that this role will provide support across trust schools.

3.2.2 Upper Pay Range

Pay determinations for Upper Pay Range teachers shall be made in accordance with the appropriate paragraphs of the STP&C document using the associated salary scale for the given year. When transferring from another school a UPS teacher will normally be appointed on a salary at least commensurate with their current salary level, taking into account any evidence provided by the previous employing school which would affect performance related pay progression.

It is the Trust's expectation that all UPS teachers will maintain the appropriate teacher standards related to the upper pay spine and measured through their annual appraisal process.

3.2.3 Main Pay Range

Pay determinations for teachers on the main pay range shall be made in accordance with the appropriate paragraphs the STP&C document using the associated salary scale set for the given year. When transferring from another school a main scale teacher will normally be appointed on a salary at least commensurate with their current salary level, taking into account any evidence provided by the previous employing school which would affect performance related pay progression.

3.2.4 Newly Qualified Teachers (NQTs)

NQTs will normally be appointed on the minimum pay range. Depending on evidence of higher skills, qualifications or experience the LGB may decide to appoint at a higher salary, within the Main Pay Range.

3.2.5 Part time teachers

Teachers appointed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part time. Their written statement will include working time obligations and the mechanism used to determine their pay subject to the provisions of the STP&CD.

3.2.6 Short notice/supply teachers

Teachers appointed on a day to day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked. Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount then divided again by 6.5 to arrive at the hourly rate.

3.2.7 Unqualified Teachers

Pay determinations for unqualified teachers shall be made in accordance with the appropriate paragraph of the STP&C Document using the associated salary scale for the given year. This determination will be made based on evidence of experience, skill and qualification and will be relevant to the role.

3.2.8 Unqualified Teachers on employment based routes into teaching

The starting salary of an individual recruited onto an employment based route into teacher will be at least the minimum point on the unqualified teacher scale. The LGB may decide to pay at a higher level dependant on evidence of higher qualifications, skills and/or experience but this must remain within the limitations of the unqualified teacher scale and take due consideration of the transfer on to the Main Teacher Scale on successful completion of QTS.

4.0 PAY PROGRESSION BASED ON PERFORMANCE

Until a Trust wide Performance Management Framework has been agreed each school will continue to use their existing Appraisal policy.

In all trust partner schools teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the school's appraisal policy.

Decisions regarding pay progression will be made in line with School Teachers Pay and Conditions and will be done so with reference to appraisal reports and the pay recommendations they contain. The decision on whether or not to award pay progression must be related to an individuals' performance as assessed through the Schools Appraisal Policy. The review will be carried out in the context of sustained high quality performance taking account of appraisal objectives relating to leadership and management and pupil progress (as appropriate) at the school.

Annual pay progression within the range is not automatic. Progression up the pay spine may only be made following the annual review and demonstration of high quality performance assessed against the appraisal criteria. Progression may be up to 2 points in the course of a single pay determination. There are no defined limits on pay progression for members of staff on the leadership spine, however progression beyond 2 points should only be recommended in exceptional circumstances and will be subject to final approval by the trust's Directors Board.

In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process and the pay recommendation contained within the final assessment report.

Members of staff on the unqualified teacher pay range will also be subject to the appraisal process and any increases will follow the same pay determination process.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

The LGB will make the final decisions about pay for all teachers and will make a recommendation in respect of the Head teachers pay progression and any associated additional payments for final approval by the Directors Board. The LGB will be responsible for managing the performance of the Head teacher and will work in partnership with the Trust central team to complete this process as part of the agreed scheme of delegation.

To be fair and transparent, assessments of performance will be properly rooted in evidence. Each Trust partner school will ensure fairness by assessing teachers against Teaching Standards and wider school policies in relation to Teaching and Learning and appraisal objectives. Objectives set for mid-year entrants to the school will be fair and achievable taking into account the length of time the Teachers has until the end of the appraisal cycle. The evidence used will include but is not exclusive to; external validation (eg Ofsted/LA review), self-assessment, peer review, tracking pupil progress, lesson observations, book scrutiny and will be linked to the outcomes of the Teachers Appraisal objectives.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the LGB, having regard to the appraisal report and taking into account advice from the senior leadership team. The LGB will ensure that appropriate funding is allocated for pay progression at all levels and the Trust will underpin this as part of the budget forecast requirement.

The appraiser may be the head teacher or member of staff to whom the head teacher has delegated the role of the appraiser. In the case of the head teacher this will be a LGB panel with support from the central trust. Judgements of performance will be made against the extent to which teachers have met their individual objectives and all of the relevant teacher standards. Eligibility of pay increase will be determined against the evidence presented in the appraisal and may be up to 2 points on the appropriate pay spine, however the final decision whether or not to accept a pay

recommendation will be made by the LGB and will take into account the advice from the senior leadership team, head teacher or central trust lead as appropriate.

4.1 Progression to the upper pay spine for main range

Any qualified teacher may apply to be paid on the upper pay range. Applications to be paid from 1st September must be made in writing to the head teacher before the final date of the appraisal cycle as specified in the school's appraisal policy (generally 30th November of the given year, with an expectation that the decision will be made and confirmed by 31st December of the same year). Applicants must make sure they have provided enough evidence for the assessment against the evidence criterion through the appraisal process. The LGB must be satisfied that the teacher is highly competent in all elements of the Teachers' Standards and that their achievements and contribution to the school are substantial and sustained. The LGB must have regard to the two most recent appraisal reports (including any pay recommendations) and would normally expect applicants to have substantially progressed towards the maximum of the main pay range in order to be able to securely evidence the criteria. The LGB may request further evidence in exceptional circumstances if they believe there is not enough evidence presented in the appraisal reports but they must ensure they provide clear reasons for taking this action.

Highly competent means:

Performance is not only good but also good enough to provide coaching and mentoring to other teachers, to give advice to them and demonstrate effective teaching practice and how to make a wider contribution to the work of the school in order to help them meet the relevant standards and develop their teaching practice.

Substantial means:

Of real importance, validity or value to the school; playing a critical role in the life of the school; providing a role model for teaching and learning; making a distinctive contribution to the raising of pupil standards; taking advantage of appropriate opportunities for professional development and using the outcomes effectively to improve pupils' learning.

Sustained means:

Maintained continuously over a long period. A long period is usually defined as requiring two appraisal cycles.

Following confirmation of a successful application the individual will normally be placed on the minimum of the upper pay spine. The LGB can increase this if the evidence presented is substantial enough. Further increases on the upper pay spine will be determined by following the annual appraisal and pay determination process.

5.0 APPEALS PROCESS

The arrangements for considering appeals with respect to pay are as follows:

A member of staff may seek a review of any determination in relation to his or her pay or any other decision taken by the governing body (or committee or individual acting with delegated authority) that effects his or her pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review:

That the person or committee by who the decision was made:-

- a) incorrectly applied any provision of the trust's pay policy
- b) failed to have proper regard for statutory regulation or guidance
- c) failed to take proper account of relevant evidence or took account of irrelevant/inaccurate evidence
- d) was biased, and/or
- e) otherwise unlawfully discriminated against the individual concerned.

The order of proceeding is as follows:

1. The member of staff receives written confirmation of their pay determination and where applicable the basis upon which the decision was made.
2. If the member of staff is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision maker and/or headteacher. This provides an opportunity to discuss the rationale of the decision made.
3. Where this is not possible, or where the staff member continues to be dissatisfied with the decision, he/she may follow a formal appeal process.
4. The staff member should set down in writing the grounds for questioning the pay decision and send it to the person or committee who made the determination, within ten working days of the receipt of the written confirmation.
5. The committee or person who made the determination should arrange a hearing, normally within ten working days of receipt of the written appeal, at which they will consider the appeal and give the staff member an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal. The deadline for any appeal will be ten working days from receipt of written confirmation of the decision.
6. Any further appeal should be heard by a panel of three governors/central trust representatives who were not involved in the original determination normally within twenty working days of the receipt of the written notification of appeal. The member of staff will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing and where the appeal has been rejected this will include a note of the evidence considered and the reasons for the decision. The decision of the panel at this hearing will be final.

At all hearings under formal procedures the staff member is entitled to be accompanied by a workplace colleague (not involved in their appraisal process) or trade union representative.

6.0 Safeguarding

Decisions on safeguarding of pay will be taken in accordance with the relevant paragraphs of the current STP&C document which deal with safeguarding.

7.0 ALLOWANCES

7.1 Teaching and Learning Responsibility (TLR) Payments

TLR responsibility payments will be awarded in accordance with the provisions of the STP&CD. A TLR may be awarded to a classroom teacher for undertaking a sustained additional responsibility, in the context of the school's staffing structure, for the purpose of ensuring the continued delivery of high quality teaching and learning for which the teacher is made accountable. Unqualified teacher may not be awarded a TLR. A TLR will be awarded for the duration of the post, or to cover the temporary absence of a designated post-holder.

7.1.1 Criteria for the award of TLR 1 and 2

Before awarding a TLR 1 or 2, the LGB must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that:

- a) it is focused on teaching and learning;
- b) requires the exercise of a teacher's professional skills and judgement;
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d) has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

Before awarding a TLR1 the Governing Board must be satisfied that the significant responsibility referred to in the previous paragraph includes in additional Line Management responsibility for a significant number of people.

Values

The values of TLRs must fall within the following ranges:

- a) the annual value of a TLR1 is 7,853 - £13,288;
- b) the annual value of a TLR2 is £2,721 - £6,646.

A teacher cannot hold a TLR 1 and 2 concurrently, but a teacher in receipt of a TLR 1 or 2 may also hold a concurrent TLR 3.

7.2 Criteria for the award of TLR 3

Where appropriate, the school will make use of the provision for fixed term TLRs (TLR 3). A TLR 3 may be awarded for time-limited school improvement projects or one-off externally driven responsibilities. A TLR 3 will be time-limited (with the duration of the fixed term determined at the outset), with payment made on a monthly basis for the duration of the fixed term.

Before awarding a TLR 3, the Governing Board must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that:

- a) it is focused on teaching and learning;

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

Safeguarding does not apply to the cessation of a TLR3.

The annual value of a TLR3 will be no less than £540 and no greater than £2,683.

A teacher cannot hold a TLR 1 and 2 concurrently, but a teacher in receipt of a TLR 1 or 2 may also hold a concurrent TLR 3.

7.3 Special Educational Needs allowances

SEN allowances will be awarded in accordance with the provisions of the STPCD.

A SEN allowance of no less than £2149 and no more than £4242 per annum may be payable to a classroom teacher.

The LGB must award a SEN allowance to a classroom teacher:

- (a) in any SEN post that requires a mandatory SEN qualification;
- (b) in a special school;
- (c) who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service;
- (d) in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post:
 - (i) involves a substantial element of working directly with children with special educational needs;
 - (ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
 - (iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

7.4 Additional allowance payable to unqualified teachers

The LGB may determine that such additional allowance as it considers appropriate is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy, that the teacher has:

- a) taken on a sustained additional responsibility which:
 - i) is focused on teaching and learning; and
 - ii) requires the exercise of a teacher's professional skills and judgment; or

b) qualifications or experience which bring added value to the role being undertaken.

8.0 Additional Payments

The LGB may make such payments as they see fit to a teacher, including a head teacher (for temporary time limited activities which are outside of the head teacher's normal duties and responsibilities and therefore not covered in the head teacher's determined salary range), in respect of:

- (a) continuing professional development undertaken outside the school day;
- (b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- (c) participation in out-of-school hours learning activity agreed between the teacher and the head teacher or, in the case of the head teacher, between the head teacher and the relevant body;
- (d) additional responsibilities and activities due to, or in respect of, the provision of services by the head teacher relating to the raising of educational standards to one or more additional schools (also see Section 3.1 above)

The total sum of additional payments to the head teacher in any school year must not exceed 25% of the annual salary payable to the head teacher, and the total sum of salary and other payments made to the head teacher must not exceed 25% above the maximum of the head teacher group. It should be noted that the 25% is the upper limit, it is not the expectation that discretionary payments will automatically be set at 25%.

In wholly exceptional circumstances, additional payments may exceed the limit set above, but only with the agreement of the governing board. The governing board must seek external independent advice and produce a business case, before seeking agreement.

8.2 Recruitment and Retention incentives and benefits

The LGB may make such payments or provide such other financial assistance, support or benefits to a teacher as it considers to be necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers.

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

Head teachers may not be awarded recruitment and retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to a head teacher must be taken into account when determining the head teacher's salary range. Further advice and support must be sought from the central trust team prior to agreeing any recruitment and retention benefits.

8.3 Residential duties

Any payment to school staff for residential duties must be determined by the LGB. Further advice and guidance can be sought from the central trust team.

Further advice and guidance can be sought from the central trust team for all aspects of this policy.

APPENDIX 1 – PAY RANGES INCLUDING REFERENCE POINTS FROM 1ST SEPTEMBER 2018 – 31ST AUGUST 2019.

Unqualified teachers - pay range including reference points from 1st September 2017

Scale Point	Annual Salary England and Wales (excluding the London Area)
1	£17,208
2	£19,210
3	£21,210
4	£23,212
5	£25,215
6	£27,216

Qualified teachers - main pay range including reference points from 1st September 2016

Scale Point	Annual Salary England and Wales (excluding the London Area)
1	£23,720
2	£25,594
3	£27,652
4	£29,780
5	£32,126
6	£35,008

Upper pay range from 1st September 2016

Scale Point	Annual Salary England and Wales (excluding the London Area)
U1	£36,646
U2	£38,004
U3	£39,406

Pay range for leading practitioners from 1st September 2016

Scale Point	Annual Salary England and Wales (excluding the London Area)
Minimum	£40,162
Maximum	£61,055

Head teachers' groups from 1st September 2016

Group	Range of reference Points	Salary range
1	L6 - L18	£45,213 - £60,153
2	L8 - L21	£47,501 - £64,736

3	L11 - L24	£51,234 - £69,673
4	L14 - L27	£55,064 - £74,985
5	L18 - L31	£60,755 - £82,701
6	L21 - L35	£65,384 - £91,223
7	L24 - L39	£70,370 - £100,568
8	L28 - L43	£77,613 - £111,007