



Pay Policy

2019-2020


_____ CEO SIGNATURE

_____ CHAIR OF TRUST BOARD SIGNATURE
Trust Board: 31.10.19 Unions: Dec 2019
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1. Introduction

- 1.1.1. The School Teachers' Pay and Conditions Document (STPCD, blue book) places a statutory duty on schools to adopt a pay policy which sets out the basis on which they determine teachers' pay, the date by which they will determine the teachers' annual pay review; and the procedures for determining appeals.
- 1.1.2. Schools must comply with the legal framework set out in the STPCD and in other relevant legislation that affects all employers e.g. equality legislation, employment protection and data protection.
- 1.1.3. This policy sets out the framework on which the Trust Board will make its decisions and the way in which it will exercise its discretionary powers. It has been developed to comply with current legislation and the requirements of the STPCD and has been consulted on with staff and/or the recognised Professional Associations.
- 1.1.4. The Trust Board delegates the implementation of this policy to the Directors' Pay Committee (for senior positions) and Governors' Pay Committee (for non-senior positions).
- 1.1.5. The terms of reference of the Directors' and Governors' Pay Committees are attached at Appendix A.

2. Principles

- 2.1.1. The Trust Board's pay policy is based on the guiding principles below:
 - Recognition that national and local agreements on pay and related conditions of service must be followed and that advice from the Chief Executive Officer (CEO)/ Headteacher (HT) (as appropriate) will be considered;
 - Recognition that the application of the powers regarding pay (and related on-costs) has financial implications which need to be considered carefully given the effect of any changes in the Trust's budget in future years;
 - Salary determination should clearly be fair, justifiable and considered within a whole Trust/School context consistent with the short and long term requirements of the Trust's/School's Development Plan;
 - The process of determining remuneration should be open, transparent and fair; and
 - A need to maintain harmonious industrial relations within the Trust/School.

3. Statement of Intent

- 3.1.1. The prime statutory duty of Governing Boards in England, as set out in paragraph 21(2) of the Education Act 2002 is to "... conduct the school with a view to promoting high standards of





educational achievement at the school.” The pay policy is intended to support that statutory duty and aims to:

- Maximise the quality of teaching and learning at each of the Trust’s schools;
- Support the recruitment and retention of a high quality teacher workforce;
- Enable the Trust to recognise and reward teachers appropriately for their contribution to the school(s); and
- Ensure that decisions on pay are managed in a fair, just and transparent way.

3.1.2. The Trust Board of St Bartholomew’s CE Multi Academy Trust in exercising its function will adhere to The School Governance Procedures (England) Regulation 2003 and will act with integrity, confidentiality, objectivity and honesty in the best interests of the schools; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent within the principles of public life: objectivity, openness and accountability.

3.2. Equalities Legislation

3.2.1. The Trust Board is committed to equality for all staff and will ensure procedures for determining pay comply with the following legislation:

- [Employment Relations Act 1999;](#)
- [Equality Act 2010;](#)
- [Employment Rights Act 1996;](#)
- [The Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000;](#)
- [The Fixed-term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002; and](#)
- [The Agency Workers Regulations 2010.](#)

3.2.2. The Trust Board will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

3.2.3. When considering performance related pay, particular care needs to be taken in relation to maternity leave and sick leave. Wherever possible the Trust Board will make adjustments to accommodate such leave. For example, as soon as a teacher returns from maternity or sick leave, it should be a matter of priority to ensure that objectives are set or adjusted. In addition, this school will be flexible about the evidence period. If a teacher has been in school 26 weeks in aggregate of a complete academic year there should be time to ensure that there is a robust evidence base. Refer to paragraph 21 of this School Pay Policy in relation to monitoring the impact of this policy.





3.3. Job Descriptions

3.3.1. The CEO (for senior roles) and HT (for middle leadership/non-senior roles) will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Trust Board/Local Governing Board (LGB). Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the Trust/School. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

3.4. Budget

3.4.1. The relevant Pay Committee will undertake the commitment to ensure that it is in possession of all the necessary budgetary information in a timely manner, in order to support the pay progression. If at any stage, it appears that in adopting this principle in the light of the overall budgetary position might potentially lead to an enforced reduction in staffing levels, there will be full consultation as part of that process of deciding the most appropriate course of action.

3.5. Annual Pay Award

3.5.1. The Trust Board has applied the 2.75% uplift to:

- All reference points on pay ranges i.e. Main, Upper Pay, Lead Practitioner, Unqualified, Leadership Pay Range; and
- All values of TLR and SEN payments excluding Recruitment and Retention Incentive Benefits.

4. Process for Dealing with Determination of Pay

4.1. Pay Reviews

4.1.1. The relevant Pay Committee will review every teacher's salary annually with effect from 1 September and issue a written statement no later than 31 October each year or 31 December for CEO/HT pay following the appropriate appraisal review meeting. The written statement should set out their salary and any other financial benefits as specified in the STPCD (paragraph 3.4, 27 and 29 to 36). 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.

4.1.2. A written statement to each member of staff 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 relevant Pay





Committee will give the required notification as soon as possible and no later than one month after the date of the determination. Decisions in respect of the CEO/HT pay will be communicated by the relevant Pay Committee in writing in accordance with paragraph 3.4 of the STPCD 2019.

4.2. Appraisal

- 4.2.1. The Trust Board will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the Trust's appraisal policy)
- 4.2.2. Although the Trust will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. The Trust will be responsible for the formulation and operation of the Appraisal System.
- 4.2.3. Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. Final decisions about whether or not to accept a pay recommendation will be made by the relevant Pay Committee, having regard to the appraisal report and taking into account advice from the CEO/HT. The relevant Pay Committee will consider its approach in the light of the Trust's/School's budget and ensure that appropriate funding is allocated for pay progression at all levels.
- 4.2.4. The CEO/HT will moderate objectives to ensure consistency and fairness; the CEO/HT will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

4.3. Obligations of the Trust Board/LGB, HT and Teachers

- 4.3.1. The obligations of the Trust Board/LGB, HT and teachers in respect of this pay policy and the appraisal process are outlined in Appendix B.

5. CEO and HT Pay determination

5.1. General Considerations

- 5.1.1. The Trust Board will ensure that the process of determining the remuneration for the CEO and HT is fair and transparent. Details in respect of the determination of the HT Group, and Indicative Pay Range and any additional payments will be well documented at every stage of determination of pay. All pay decisions will be made using objective criteria and there should be a clear audit trail for all decisions with reasons.





5.1.2. The Trust Board will adopt a **three stage process** as outlined in a DfE guidance which is attached at Appendix C and paragraphs 5.2 and 5.3 of this policy should be read in conjunction with this guidance.

5.1.3. The three stage process will apply when:

- a) Setting the pay for a new headship appointment;
- b) There are significant changes to responsibilities; and
- c) It becomes necessary to review the pay of all leadership posts in order to maintain consistency with pay arrangements for either new appointments to leadership or for a member of the leadership group whose responsibilities significantly changed.

5.2. Pay on appointment

5.2.1. For HT appointments, the Directors' Pay Committee will review the relevant school's head teacher group and the head's pay range in accordance with paragraphs 4, 5, 6, 7, 8 and 9 of the STPCD (ordinary school), or paragraphs 4, 5, 7 and 8 of STPCD (special schools).

5.2.2. If the HT takes on permanent accountability for one or more additional schools, or if the Trust Board is appointing a new CEO, the Directors' Pay Committee will set a pay range in accordance with the provisions of paragraph 6.6 or 7.9, respectively. For new appointments the Directors' Pay Committee will determine a pay range, taking account of the full role of the HT (or CEO), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.3 of STPCD 2019), including recruitment issues. The Directors' Pay Committee will take into account the factors outlined in Appendix C when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.

5.2.3. The Directors' Pay Committee will consider using its discretion, in exceptional circumstances only, to exceed the 25% limit beyond the maximum of the group range when setting the pay range for the CEO/HT, as set out in paragraph 9.3 of the STPCD 2019. However, before doing so, it will make a fully documented business case and seek external independent advice.

5.2.4. The Directors' Pay Committee will use reference points within the pay range as detailed in appendix D

5.2.5. At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Trust Board will adjust the pay range to ensure appropriate scope of 2 reference points, for performance related pay progression





- 5.2.6. The Directors' Pay Committee will have regard to the provisions of paragraph 9.4 of the STPCD 2019 in particular, and will also take account of any other permanent payments, made to staff within the school(s) to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability
- 5.2.7. The Directors' Pay Committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10 of STPCD 2019. Any indefinite, not time limited responsibilities must be taken into account when determining the CEO/HT pay range
- 5.2.8. The total sum of the temporary payments made to a head will not exceed 25% of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25% above the maximum of the Headteacher group, except in wholly exceptional circumstances
- 5.2.9. The Directors' Pay Committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the Trust Board. The Trust Board will seek external independent advice before providing agreement

5.3. Serving HT

- 5.3.1. The Directors' Pay Committee will only re-determine the pay range of a serving HT, in accordance with paragraph 9 of the STPCD 2019, if the responsibilities of the post change significantly, or if the Directors' Pay Committee determines that this is required to maintain consistency with pay arrangements either for new appointments to the leadership team or for a member(s) of the leadership group whose responsibilities significantly change.
- 5.3.2. It will also re-determine the pay range if the group size of the school increases, or if the head takes on permanent accountability for an additional school(s) (Section 3 guidance, paragraph 9 of STPCD 2019).
- 5.3.3. If the Directors' Pay Committee re-determines the HT pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The Directors' Pay Committee will take into account the factors set out in Appendix C when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- 5.3.4. The Directors' Pay Committee will consider using its discretion, in exceptional circumstances, to exceed the 25% limit beyond the maximum of the group range, as set out in paragraph 9.3 of STPCD 2019. However, before agreeing to do so, it will make a fully-documented business case and will seek external independent advice.





- 5.3.5. The Directors' Pay Committee will use reference points within the pay range and will leave at least 5 reference points for performance-related pay progression.
- 5.3.6. The Directors' Pay Committee will review the CEO/HT pay in accordance with paragraph 11 of the STPCD 2019 and (paragraph 27 of the Section 3 guidance) and award up to two reference points where there has been sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the appraisal regulations 2012 and any recommendation on pay progression in the CEO/HT most recent appraisal report.
- 5.3.7. If the Directors' Pay Committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph 9 and paragraph 7 of the section 3 guidance of STPCD 2019.
- 5.3.8. The Directors' Pay Committee will consider the use of temporary payments for clearly temporary responsibilities or duties only, in accordance with paragraph 10 of STPCD 2019.
- 5.3.9. The total sum of temporary payments made to a head must not exceed 25% of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25% above the maximum of the head teacher group, except in wholly exceptional circumstances.
- 5.3.10. The Directors' Pay Committee may determine that additional/temporary payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the Trust Board. The Trust Board will seek external independent advice before providing agreement.

6. Deputy/Assistant Headteachers Pay Determination

- 6.1.1. The Trust Board will adopt a **three stage process** as detailed in Appendix C and paragraphs 6.2 and 6.3 of this policy should be read in conjunction with this guidance.

6.2. Pay on appointment

- 6.2.1. The Directors' Pay Committee will determine a pay range, taking account of the full role of the deputy/assistant head teacher, all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.4 of the STPCD 2019), including recruitment issues. The Directors' Pay Committee will take into account the factors outlined in Appendix C when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.





- 6.2.2. The Directors' Pay Committee will use reference points within the pay range.
- 6.2.3. At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Trust Board will adjust the pay range to ensure appropriate scope of 2 reference points, for performance related pay progression.
- 6.2.4. The Directors' Pay Committee will exercise its discretion under paragraph 27 of the STPCD 2019 where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- 6.2.5. The Directors' Pay Committee will consider whether the award of any additional payments are relevant, as set out in paragraph 27 of the STPCD 2019 document and in section 3 guidance paragraphs 65 to 68 of the STPCD 2019.

6.3. Serving deputy/assistant head teachers

- 6.3.1. The Directors' Pay Committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher (paragraph 10 of section 3 guidance), or to maintain consistency with pay arrangements for either new appointments to the leadership group or to maintain pay arrangements for a member(s) of the leadership group whose responsibilities significantly change.
- 6.3.2. When determining the pay range of a serving deputy/assistant head, the Directors' Pay Committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9 of the STPCD 2019), including recruitment/retention issues. The Directors' Pay Committee will take into account the factors outlined in appendix C when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- 6.3.3. The Directors' Pay Committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure.
- 6.3.4. The Directors' Pay Committee will exercise its discretion under paragraph 27 of the STPCD 2019 where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- 6.3.5. The Directors' Pay Committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the STPCD and section 3 guidance, paragraphs 60 to 68 of the STPCD 2019.





- 6.3.6. The Directors' Pay Committee will use reference points within the pay range and will leave at least 5 reference points for performance-related pay progression.
- 6.3.7. The Directors' Pay Committee will review pay in accordance with paragraphs 11.1 and 11.2 of the STPCD 2019 and award up to two reference points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report.

7. Classroom Teachers Pay Determination

7.1. Pay determination on appointment

- 7.1.1. The HT in conjunction with the CEO 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.
- 7.1.2. In making such determinations, the CEO/HT may take into account a range of factors, including:
- The nature and requirements of the post;
 - The specialist knowledge, skills and qualifications required for the post;
 - The experience required to undertake the specific duties of the post;
 - Market conditions; and
 - The wider school context.
- 7.1.3. The CEO/HT will apply the principle of pay portability in making pay determinations for all new appointees as follows:

When determining the starting pay for a classroom teacher taking up their first appointment as a qualified classroom teacher, the Trust will pay the teacher on the Main Pay Range, and will allocate pay scale points as a minimum, in the following circumstances:

- One point on the main scale for each year of service as a qualified teacher;
- One point for each three years of non-teaching experience spent working in a relevant area, including industrial or commercial training, time spent in an occupation relevant to the teacher's work at the school, and experience with children/young people; and
- One point on the scale for each period of three years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the school, and experience with children/young people.





7.2. The main pay range for teachers effective 1 September 2019

7.2.1. The Governors' Pay Committee will use reference points. Therefore the pay scale for teachers on the Main Pay Range at St Bartholomew's CE Multi Academy Trust is:

	Annual - £	Monthly - £	Per Hour - £*
MPR1	24,373	2,031.08	19.27
MPR2	26,298	2,191.50	20.79
MPR3	28,413	2,367.75	22.46
MPR4	30,599	2,549.92	24.19
MPR5	33,010	2,750.83	26.09
MPR6	35,971	2,997.58	28.44

*The hourly rate is calculated as the annual salary divided by 1,265 hours worked as stipulated in the STPCD 2019.

7.3. Pay progression on main pay range

7.3.1. To move up the main pay range, one annual point at a time, teachers will:

- Normally have achieved their objectives. Where, in the light of the appraisal review, the appraiser concludes that the objectives have proved particularly challenging, pay projection may be on the basis of good progress towards these objectives; and
- Have met the relevant Teachers Standards.

7.3.2. Recommendations for increases in pay will be differentiated such that the amount of any increase is clearly attributable to the performance of the teacher. A classroom teacher should have a reasonable expectation of progressing to the top of the appropriate pay range where they have demonstrated continued good performance as defined by relevant teachers' standards and the achievement of appraisal objectives over a number of years.

7.3.3. In the case of exceptional performance the Governors' Pay Committee will consider the award of up to two points where applicable.

7.3.4. As a teacher moves up the main pay range evidence from the appraisal review should show:

- An increasing positive impact on pupil progress [*Note: Consideration needs to be given to the content of DfE guidance following the Making Data Work report. Objectives can be set in relation to robust assessment data, albeit this will not be used in isolation*];
- An increasing impact on wider outcomes for pupils; and





- Improvements in specific elements of practice identified to the teacher, e.g. behaviour management or lesson planning.
- 7.3.5. The Governors' Pay Committee will be advised by the HT in making all such decisions. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The Governors' Pay Committee will be able to justify its decisions.
- 7.3.6. In the case of newly qualified teachers (NQTs), pay decisions will be made by means of the statutory induction process.

8. Progression to the Upper Pay Range

8.1. Applications to be paid on Upper Pay Range (UPR)

- 8.1.1. Any qualified teacher can apply to be paid on the Upper Pay Range at least once a year in accordance with this Trust's Pay Policy. It is the teacher's decision whether or not to submit a UPR application.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.

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

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. In doing so the school will need to consider the level of evidence required vis a vis teachers' workload. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a three year period before the date of application, from this school and other schools, in support of their application.

- 8.1.2. Process and procedures

One application may be submitted annually. The closing date for applications is normally **30th September** each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:





- Submit a request in writing to the HT;
- Submit the request and supporting appraisal reports/evidence to the HT by the cut-off date of **30th September**;
- The teacher will receive notification of the name of the assessor of their application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the Governors' Pay Committee;
- The application, evidence and recommendation will be passed to the HT for moderation purposes, if the HT is not the assessor;
- The Governors' Pay Committee will make the final decision, advised by the HT;
- Teachers will receive written notification of the outcome of their application by **31st October**. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below);
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given as soon as practicable but no later than 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria;
- Successful applicants will move to the minimum of the UPR on 1 September of that academic year; and
- Unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix F of this Trust's Pay Policy.

8.1.3. Assessment

The teacher will be required to meet the criteria set out paragraph 15 of the STPCD 2019, namely that:

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

In this Trust, this means:

"Highly competent":

The teacher's performance is assessed as having extensive depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

(DfE cites the following as examples, performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to





them 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”:

The teacher’s achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

(DfE cites the following examples, of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils’ learning)

“Sustained”:

The teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (see exceptions as outlined in paragraph 8.1.1 of this policy). They have demonstrated teaching skills which lead to learners achieving well relative to the learners prior attainment, making progress as good as, or better than, similar learners nationally.

Further information, including information on sources of evidence is contained within the Trust’s Appraisal Policy.

8.2. Pay determination for existing Upper Pay Range Teachers from 1 September 2019

8.2.1. The Governors’ Pay Committee will use reference points. Therefore the pay scale for teachers on the upper pay range in the Trust is:

	Annual - £	Monthly - £	Per Hour - £*
UPR1	37,654	3,137.83	29.77
UPR2	39,050	3,254.17	30.87
UPR3	40,490	3,374.17	32.01

*The hourly rate is calculated as the annual salary divided by 1,265 hours worked as stipulated in the STPCD 2019.

8.2.2. The Governors’ Pay Committee will determine whether there should be any movement on the Upper Pay Range. In making such a determination, it will take into account:

- Paragraph 19 of the STPCD 2019;





- The evidence base, which should show that the teacher has had a successful appraisal and has met or made significant progress towards objectives;
 - Evidence that the teacher has maintained the criteria set out in paragraph 15.2, of the STPCD 2019 in that:
 - The teacher is highly competent in all elements of the relevant standards; and
 - That the teacher's achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in paragraph 8.1.3 of this policy.
- 8.2.3. Pay progression on the upper pay range will be clearly attributable to the performance of the individual teacher. The Governors' Pay Committee will be advised by the HT in making all such decisions and have evidenced two successful and consecutive appraisal reviews. The Governors' Pay Committee will be able to objectively justify its decisions.
- 8.2.4. Where it is clear that the evidence shows the teacher has made good progress, i.e. they continue to maintain the criteria set out in this policy at paragraph 8.1.3 "The Assessment", and have met or made significant progress towards their objectives, the teacher will move to the mid-point on the Upper Pay Range; or if already on the mid-point, will move to the maximum point of the Upper Pay Range.

9. Leading Practitioner Posts

9.1. Establishment of Posts

- 9.1.1. The Trust Board has the discretion to create posts for qualified teachers whose primary purpose is the modelling and leading improvement of teaching skills.
- 9.1.2. The Trust Board will determine the number of posts that are to be included in each schools staffing structure as required and the usual recruitment and selection procedures will apply. The Trust Board will need to be satisfied that the successful candidate can demonstrate excellence in teaching and will be able to contribute/has contributed to leading the improvement of teaching skills.

9.2. The role of Leading Practitioner posts

- 9.2.1. The Trust Board will take account of paragraph 34 in Section 3 of the STPCD 2019 when determining the role of leading practitioner in this Trust. Additional duties will be set out in the job description of the leading practitioner and will include:
- A leadership role in developing, implementing and evaluating policies and practices in the school that contribute to school improvement;





- The improvement of teaching skills within school (and within the wider school community) which impact significantly on pupil progress;
- Improving the effectiveness of staff and colleagues, particularly in relation to specific areas to be determined prior to the recruitment process commencing.

9.3. Pay on Appointment

9.3.1. The Governors' Pay Committee will use reference points. Therefore the pay scale for teachers on the Leading Practitioner Pay Range in the Trust is:

	Annual - £	Monthly - £	Per Hour - £*
LPR1**	41,266	3,438.83	32.62
LPR2	41,780	3,481.67	33.03
LPR3	42,294	3,524.50	33.43
LPR4	42,808	3,567.33	33.84
LPR5	43,321	3,610.08	34.25

*The hourly rate is calculated as the annual salary divided by 1,265 hours worked as stipulated in the STPCD 2019.

**This is the minimum salary value as in the STPCD 2019.

9.4. Pay determinations with effect from 1 September 2019

9.4.1. The HT will agree appraisal objectives for the Leading Practitioner.

9.4.2. The Governors' Pay Committee shall have regard to the results of the Leading Practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 16 of the STPCD 2019.

9.4.3. The Governors' Pay Committee will take account of other evidence. The evidence should show the leading practitioner:

- Has met or made significant progress towards their objectives;
- Is an exemplar of teaching skills, which should impact significantly on pupil progress, within school and within the wider school community, if relevant;
- Has made a substantial* impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
- Is highly competent* in all aspects of the Teachers' Standards;





- Has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

** “Highly competent”, “substantial” are defined in this policy at paragraph 8.3 “The Assessment”*

9.4.4. The Governors’ Pay Committee will be advised by the HT in making all such decisions and will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The Governors’ Pay Committee will be able to objectively justify its decision.

9.4.5. Where it is clear from the evidence that the teacher’s performance is exceptional, the Governors’ Pay Committee will award enhanced pay progression of 1 point.

9.4.6. Information on sources of evidence is contained within the school’s appraisal policy.

10. Unqualified Teachers

10.1. Pay on appointment

10.1.1. The Governors’ Pay Committee will pay any unqualified teacher in accordance with the provisions of the STPCD 2019. The Governors’ Pay Committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The Governors’ Pay Committee will consider whether it wishes to pay an additional allowance outlined in paragraph 22 of the STPCD 2019.

10.2. Pay determinations effective from 1 September 2019

10.2.1. The Governors’ Pay Committee will use reference points. Therefore the pay scale for teachers on the Unqualified Teachers pay range in the Trust is:

	Annual - £	Monthly - £	Per Hour - £*
UTR1	17,682	1,473.50	13.98
UTR2	19,739	1,644.92	15.60
UTR3	21,794	1,816.17	17.23
UTR4	23,851	1,987.58	18.85
UTR5	25,909	2,159.08	20.48
UTR6	27,965	2,330.42	22.11





*The hourly rate is calculated as the annual salary divided by 1,265 hours worked as stipulated in the STPCD 2019.

10.3. Pay Progression on the Unqualified Teachers Range

10.3.1. In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have met or made significant progress towards their objectives.

10.3.2. If the evidence shows that a teacher has exceptional performance, the Governors' Pay Committee will award enhanced pay progression of 2 points.

10.3.3. Judgements will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:

- An improvement in teaching skills;
- An increasing positive impact on pupil progress;
- An increasing impact on wider outcomes for pupils;
- Improvements in specific elements of practice identified to the teacher;
- An increasing contribution to the work of the school; and
- An increasing impact on the effectiveness of staff and colleagues.

10.3.4. Information on sources of evidence is contained within the Trust's Appraisal Policy.

10.3.5. The Governors' Pay Committee will be advised by the HT in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Governors' Pay Committee will be able to objectively justify its decisions.

11. Discretionary Allowances

11.1. Teaching and Learning Responsibility Payments (TLRs) – TLR1 and TLR2

11.1.1. The Governors' Pay Committee may award a TLR 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 and for which the teacher is accountable.

11.1.2. Pay Determination of TLR1 or TLR2 payment

The Trust Board has determined the value of TLRs in this Trust as follows:

- a) The annual value of a **TLR1a is £8,069 and TLR1b is £13,653;**





- b) The annual value of a **TLR2a is £2,796, TLR2b is £4,365 and TLR2c is £6,829**; and
- c) If the Governors' Pay Committee awards TLRs of different annual values to two or more teachers the minimum difference in the annual value between each award of a TLR1 is £1,500, and between each award of a TLR2 is £1,500

11.1.3. Criteria for awarding TLR1 or TLR2 payment

Before awarding any TLR1 or TLR2 payment, the Pay Committee must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers in addition to line management responsibility as outlined in paragraphs 20.4 and 20.5 respectively of the STPCD 2019.

All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR1 or TLR2 is awarded taking into account the criterion and factors set out in this paragraph.

11.2. TLR3 Payments

11.2.1. After appropriate consultation the Governors' Pay Committee may award a fixed term TLR3 payment to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 20.3 of the STPCD 2019. The annual value of a TLR3 must be no less than £555 and no greater than £2,757. TLR 3 payments will not be used to replace or limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

11.2.2. The Pay Committee must be satisfied that the responsibilities meet the criteria in paragraph 20.4 of the STPCD.

11.2.3. The LGB will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. If a TLR3 payment is awarded to a part time teacher the pro-rata principle will not apply. TLR3s are not subject to safeguarding.

11.3. Special Needs Allowance

11.3.1. The Governors' Pay Committee will award an SEN spot value allowance on a range of between £2,209 and £4,359 to any classroom teacher in accordance with the criteria outlined in paragraph 20.4 of the STPCD 2019.

11.3.2. When deciding on the amount of the allowance to be paid, the Governing Board will take into account the criteria outlined in paragraph 21.3 of the STPCD 2019. The Governing Board will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different





payment levels can be objectively justified. The Governing Board will also take account of paragraphs 55 to 59 of section 3 guidance within the STPCD 2019 in respect of establishing different values relating to SEN roles so that different payment levels can be objectively justified.

11.4. Allowance Payable to Unqualified Teachers

11.4.1. The Pay Committee may determine such additional allowance in accordance with paragraph 22 of the STPCD 2019.

11.5. Safeguarding Allowances

11.5.1. If, as a result of a change in pay policy or to the school's staffing structure the relevant body determines e.g. a teacher's duties will no longer attract a TLR1 or TLR2, SEN payments, unqualified teachers' allowance, safeguarding principles will apply as outlined in paragraphs 30-37 of the STPCD 2019.

11.6. Acting Allowances

11.6.1. Where a teacher is assigned and carries out the duties of head, deputy head or assistant head in accordance with paragraph 23 of the STPCD 2019, the Directors' Pay Committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance.

11.6.2. The Directors' Pay Committee will determine the appropriate payment which will be backdated to the commencement date of the duties.

12. Part-Time Employees

12.1.1. The LGB will apply the provisions of the STPCD 2019 in relation to part-time teachers' pay and working time, in accordance with paragraph 40 and 41 and onwards, and in section 3 guidance paragraphs 39-44 and 79-86 of the STPCD 2019.

13. Teachers Employed On a Short Notice Basis

13.1.1. Such teachers will be paid in accordance with paragraph 42 of the STPCD 2019.





14. Residential Duties

14.1.1. The Governors' Pay Committee will take account of agreements reached in the National Joint Council for Teachers in Residential Establishments in determining payments for residential duties.

15. Additional Payments

15.1.1. The Governing Board may make payments as they see fit to a teacher (other than a Headteacher) in accordance with paragraph 26 of the STPCD 2019 and paragraphs 60-68 of the section 3 guidance.

15.1.2. The Governors' Pay Committee will make additional payments to teachers in accordance with the provisions of paragraph 26 of the STPCD 2019 where advised by the HT. Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary.

16. Recruitment and Retention Incentive Benefits

16.1.1. The authority to award recruitment and retention incentive benefits remains with the Trust Board, who can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 27 of the STPCD 2019 and paragraphs 70-72 of the section 3 guidance).

16.1.2. The relevant Pay Committee will consider exercising its powers under paragraph 27 of the STPCD 2019 where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which it may be withdrawn.

16.1.3. The Trust Board will, nevertheless, conduct an annual formal review of all such awards.

16.1.4. Headteachers, Deputy Headteachers and Assistant Headteachers may not be awarded payment for recruitment and retention other than reimbursement of reasonably incurred housing or relocation costs. Existing payments awarded under a previous Document subject to review, may continue at its existing value until such time as the respective pay range is determined in accordance with STPCD 2019.

17. Salary Sacrifice Arrangements

17.1.1. In accordance with paragraph 28 of the STPCD 2019, where the employer operates a "salary sacrifice arrangement" (e.g. a child care voucher scheme), a teacher may participate in any





arrangement and their gross salary shall be reduced accordingly, as outlined in the provisions in Section 3, paragraph 73 of the STPCD 2019.

18. Honoraria

18.1.1. The Trust Board/LGB will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

There is no provision within the STPCD 2019 for the payment of honoraria. Any such award to a teacher for their teaching work would be unlawful.

19. Pay Appeal Arrangements

19.1.1. The arrangements for considering appeals on pay determination are set out in Appendix F.

20. Data Protection

20.1.1. As part of the application of this policy St Bartholomew's CE MAT will collect, process and store personal data in accordance with our data protection policy. We will comply with the requirement for the Data Protection Act 2018 and any other Data |Protection Legislation. Our Privacy Notice sets out how we will gather, process and hold personal data of individuals in relation to pay.

21. Review of Pay Policy

21.1.1. The CEO and Trust Board must consult staff and unions on their pay policy. The pay policy should comply with the current STPCD and its statutory guidance. It should be used in conjunction with them, but if there are any inadvertent contradictions, then the STPCD and guidance take precedence. The pay policy should be reviewed each year or when changes occur to the STPCD to ensure it reflects the latest legal position.

Under the Freedom of Information Act 2000, relevant bodies should publish their pay policies through their Publication Schemes and those pay policies must be available on demand.

22. Monitoring the Impact of the Policy

22.1.1. The Trust Board will monitor the outcomes and impact of this policy on an annual basis, including trends in progression across specific groups of teachers to assess its effect and the Trust's continued compliance with equalities legislation.





Appendix A1 – The Directors’ Pay Committee – Terms of Reference

The terms of reference for the Directors’ Pay Committee will be determined annually by the Trust Board. The role of the Directors’ Pay Committee is each year to:

- Apply the Trust pay policy, which is agreed by the Trust Board after consultation has taken place with staff and their union representatives in the schools and amendments considered in the light of comments received.
- Inform staff of the policy adopted.
- Establish procedures for determining appeals by teachers against pay decisions and related matters (e.g. performance, threshold assessment).
- Consider recommendations from the CEO about pay awards for senior staff (HT, DHTs, AHTs, DFO, TBM as well as Trust central support staff e.g. the PA to the CEO) on the basis of the policy and budget.
- Determine the pay of the CEO and senior staff as listed above.
- Ensure that awards are made without unlawful discrimination.
- Monitor the overall distribution of awards and the impact of the pay policy.

The Trust Board may ask the CEO to:

- Formulate the draft pay policy for consultation with staff and unions in the Trust and consideration by the Trust Board.
- With the help of other senior staff as appropriate, review performance information for senior staff and central support staff and make recommendations to the Directors’ pay committee regarding performance related pay awards where applicable.
- Monitor the impact of the arrangements for pay determinations on teachers and teaching at the schools, and report to the Trust Board. In doing so, the CEO will need to take account of the requirements of the appraisal policy.

The Trust Board may delegate pay decisions to a committee. Regulations¹ require that a head must withdraw from any discussions on his or her pay and may not vote on it; for the Directors’ Pay Committee, this refers to the CEO. Other employees must withdraw from any meeting during consideration of the pay or performance appraisal of any other employee, and may not vote on related matters. The Regulations do not prevent Directors from hearing representations from the interested party. For example, the CEO or a HT could present his or her views in a note, make a presentation, so long as they withdraw during the decision-making process.

No payments and conditions of employment other than those provided in the Document may be applied.





Appendix A2 – The Governors’ Pay Committee – Terms of Reference

The terms of reference for the Governors’ Pay Committee will be determined from time to time by the Trust Board. The role of the Governors’ Pay Committee is each year to:

- Apply the Trust pay policy in relation to non-senior staff, after consultation has taken place with staff and their union representatives in the school and amendments considered in the light of comments received.
- Inform staff of the policy adopted.
- Establish procedures for determining appeals by teachers against pay decisions and related matters (e.g. performance, threshold assessment).
- Consider recommendations from the HT about pay awards on the basis of the policy and budget.
- Ensure that awards are made without unlawful discrimination.
- Monitor the overall distribution of awards and the impact of the pay policy.

The LGB may ask the Head to:

- With the help of other senior staff as appropriate, review performance information for teachers and make recommendations to the Governors’ pay committee regarding performance related pay awards.
- Monitor the impact of the arrangements for pay determinations on teachers and teaching at the school, and report to the LGB. In doing so, the HT will need to take account of the requirements of the Trust’s Appraisal Policy.

The LGB may delegate pay decisions in relation to non-senior staff to a committee. Other employees must withdraw from any meeting during consideration of the pay or performance appraisal of any other employee, and may not vote on related matters. The Regulations do not prevent Governors from hearing representations from the interested party. For example, a teacher could present their views in a note, make a presentation, so long as he or she withdraws during the decision-making process.

No payments and conditions of employment other than those provided in the Document may be applied.





Appendix B - Obligations of the Trust Board, LGB, HT and Teachers

1. The Trust Board and LGB will fulfil its obligations to:

- 1.1.1. Teachers: as set out in the STPCD (the Document) and the Conditions of Service for School Teachers in England (commonly known as the 'Burgundy Book').
- 1.1.2. The Trust Board will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.
- 1.1.3. The Trust Board will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see 'Processes and Procedures') and the Trust's spending plan.
- 1.1.4. The Trust Board will monitor the outcomes of pay decisions, including the extent to which different groups of teachers may progress at different rates, ensuring the Trust's continued compliance with equalities legislation.

2. CEO and HT Obligations

2.1.1. The CEO will:

- Develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the appraisal and pay policies;
- Submit any updated appraisal and pay policies to the Trust Board for approval;
- Ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- Submit pay recommendations relating to senior staff to the Trust Board and ensure the Trust Board has sufficient information upon which to make pay decisions;
- Ensure that senior staff are informed about decisions reached; and that records are kept of recommendations and decisions made.

2.1.2. The HT will:

- Ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- Submit pay recommendations relating to non-senior staff to the LGB and ensure the LGB has sufficient information upon which to make pay decisions;
- Ensure that non-senior staff are informed about decisions reached; and that records are kept of recommendations and decisions made.





3. Teachers' Obligations

3.1.1. A teacher will:

- Engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- Keep records of their objectives and review them throughout the appraisal process; and
- Share any evidence they consider relevant with their appraiser.





Appendix C - DfE Guidance – three stage process

New appointments – the three-stage process

You should adopt the following three-stage process when setting the pay for **new appointments** to headship or the wider leadership team.

The pay of those in post will only need to be reviewed when there are **significant** changes to responsibilities.

The three-stage process offers Trust Boards substantial flexibility to set pay at the level needed to attract Headteachers and other members of the leadership team by systematically considering the circumstances of the role before advertising the post.

The three stages are:

Stage 1 – Defining the role and determining the Headteacher group

Stage 2 – Setting the indicative pay range

Stage 3 – Deciding the starting salary and individual pay range

You should ensure that all decisions and the reasons for them are well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect on any group of teachers with a particular protected characteristic under the [Equality Act 2010](#).

Stage 1 – Defining the role and determining the Headteacher group

You should use this stage to define the job and identify the broad pay range as a provisional guide to determining an appropriate level of pay.

You will need to define and set out the specific role, **responsibilities and accountabilities** of the post as well as the **skills and relevant competences** required.

For Headteacher posts you should assign the school to a Headteacher group which will determine the appropriate broad pay range. This should be done by calculating the total unit score for the school in accordance with paragraphs 5-8 of the STPCD 2019.

Prompt:

Have you ensured that you have modified the total unit score to include, where appropriate, permanent responsibility for additional schools?

For other leadership group posts, you should consider how the role fits within the wider leadership structure of the school. The pay range for a deputy or assistant Headteacher should only overlap the Headteacher's pay range in exceptional circumstances.





Prompt:

Have you ensured that you have modified the total unit score to include, where appropriate, permanent responsibility for additional schools?

Stage 2 – Setting the indicative pay range

At this stage you will need to consider the complexity and challenge of the role in the particular context of the school and make a judgement on pay in the light of this.

You should note that current discretionary payments, such as allowances for recruitment and retention, permanent additional responsibilities (e.g. the provision of initial teacher training (ITT)), and long-term provision to other schools, should be captured at this stage.

For Headteacher posts it is expected that normally you will conclude that the total unit score fully captures the complexity of the Headteacher role and that the relevant broad pay range accommodates appropriate levels of reward. You will wish to consider whether the indicative pay range should start at the minimum of the Headteacher group or whether you wish it to start at a higher level because of the level of challenge of the post.

There may, however, be circumstances in which there are additional factors that suggest the indicative pay range should be higher than would be provided by the basic calculation in stage 1. The following represent some examples of the additional factors that you may wish to consider, but these are for *guidance only and are not intended to provide an exhaustive list*:

- **The context and challenge arising from pupils needs** e.g. if there is a high level of deprivation in the community (Free School Meal (FSM) entitlement and/or English as an Additional Language indicators may be relevant) or there are high numbers of looked after children or children with special needs or there is a high level of in-year churn/pupil mobility, and this affects the challenge in relation to improving outcomes;
- **A high degree of complexity and challenge** e.g. accountability for multiple schools or managing across several dispersed sites, which goes significantly beyond that expected of any Headteacher of similar-sized school(s) and is not already reflected in the total unit score used at stage 1;
- **Additional accountability not reflected in stage 1** e.g. leading a teaching school alliance;
- **Factors that may impede the school's ability to attract a field of appropriately qualified and experienced leadership candidates**, e.g. location; specialism; level of support from the wider leadership team.

If you consider that circumstances warrant it, you can set the indicative pay range with a **maximum of up to 25%** above the top of the relevant Headteacher group range. Above that limit, external independent advice must be sought and, should the advice suggest additional payment is appropriate, a business case must be made and agreed by the full Trust Board.





You should ensure that no **double counting** takes place, e.g. of things taken account of in stage 1, such as responsibility for an additional school already reflected in the total unit score; or from using overlapping indicators, such as FSM and the pupil premium.

You **should not** increase base pay nor pay an additional allowance for regular local collaboration which is part of the role of all Headteachers.

For other leadership roles the process is broadly the same. You will wish to consider how the other leadership roles should be set in accordance with the level set for the Headteacher and ensure that there is sufficient scope for progression.

At the end of this stage you should decide where in the broad range to position the indicative pay range and set this out clearly when you advertise the job. You should make an **overall judgement** on the position and breadth of range, allowing appropriate scope for performance-related progression over time, clearly linked to school improvement priorities and outcomes.

There should be a clear audit trail for all decisions made and the reasoning behind them.

Prompt:

Does the total unit score provide an appropriate pay range for the job?

Are there any additional factors that need to be taken into account in determining the indicative pay range?

You may consider that it is appropriate to apply more weight to some factors than others, e.g. the level of social challenge; managing more than one school; difficulty in making a suitable appointment. For those factors which are not expected to persist, such as temporary responsibility for an additional school, these should be reflected through an allowance rather than consolidated into the indicative pay range.

Is the role so challenging that the pay range should extend above the maximum of the headteacher group for the school?

Have you considered whether there is any relevant benchmarking information available that would support your judgement on whether the pay range is justifiable?

Do you know where you can go for further assistance or support, e.g. HR advice, in exercising your judgements?

Does the pay range provide scope for performance-related progression over time?

What is the appropriate differential between the pay ranges for different leadership posts?





You will want to be sure that you consider the equality implications of any decisions over differentials.

Is there an audit trail to show the basis on which decisions have been made?

Stage 3 – Deciding the starting salary and individual pay range

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post.

At this stage you will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post.

It will be important for you to ensure that there is scope for performance-related progression over time.

Prompt:

Have you considered what you would be willing to offer as the upper limit of a starting salary?

Establishing a pay range above the school's Headteacher group

The expectation is that in most cases the pay range will be within the limits of the Headteacher group. However, in some cases, e.g. where there may be significant difficulty in making an appointment or there is a need to incentivise a head to take on responsibility for a very large school or to lead multiple large schools, it may be appropriate to consider extending the individual pay range.

The Trust Board can in such cases decide that the maximum of the pay range may be above the maximum of the Headteacher group, **up to** an additional 25%.

It should be wholly exceptional for the maximum of the pay range to be more than an additional 25% higher than the maximum of the Headteacher group. If it is considered that there are exceptional circumstances that warrant an extension beyond that limit, a business case would be required. You would need to seek external independent advice from an appropriate person or body who can consider whether it is justifiable to exceed the limit in a particular case. There must be a clear audit trail for any advice given and a full and accurate record of all decisions made and the reasoning behind them.

Pay progression

It is the responsibility of the Trust Board to ensure that performance-based progression awards reflect individual performance.

Pay progression for members of the leadership group is already linked to performance, but Trust Boards have had only limited scope to differentiate or increase the progression reward available.





The removal of the spine points gives greater flexibility to decide on the level of progression award appropriate to an individual's performance.

Schools should review and update their pay policies on an annual basis to ensure that they remain fit for purpose. They will need to revise their pay policies to reflect the changes to setting leadership pay and to clarify their approach to making decisions about pay progression for the leadership group. Trust Boards will need to satisfy themselves that objective-setting is rigorous and that the school's pay policy provides a clear link between levels of achievement and progression.

Note

You will have the freedom to award progression increases as you judge appropriate in your particular circumstances. Although no progression award should be made if it is not justified, you may find it helpful to indicate the pay level that might be achieved after a certain period, subject to sustained, high quality performance, through the establishment of pay points on those ranges which will be used by the school. The DfE will no longer publish any pay scale points for reference either in the STPCD or Departmental advice, so therefore you will have the flexibility to devise your own arrangements. However, one option is the continued adoption of fixed scale points as the basis for teachers' pay progression, including the adoption of previous STPCD pay points updated as appropriate as outlined in Appendix D.





Appendix D - Headteacher Group Sizes and Group Ranges

Headteacher Group Sizes and Group Ranges 2019/20

Headteacher Group	Pay points	England and Wales £
Minimum	L1	£41,065
	L2	£42,093
	L3	£43,144
	L4	£44,218
	L5	£45,319
Group 1 (L6-L18)	L6	£46,457
	L7	£47,707
Group 2 (L8-L21)	L8	£48,808
	L9	£50,026
	L10	£51,311
Group 3 (L11-L24)	L11	£52,643
	L12	£53,856
	L13	£55,202
Group 4 (L14-L27)	L14	£56,579
	L15	£57,986
	L16	£59,528
	L17	£60,895
	L18a	£61,808
Group 5 (L18b-L31a)	L18b	£62,426
	L19	£63,975
	L20	£65,561
	L21a	£66,517
	Group 6 (L21b-L35a)	L21b
L22		£68,851
L23		£70,556
L24a		£71,590
Group 7 (L24b-L39a)		L24b
	L25	£74,103
	L26	£75,936
	L27a	£77,048
	L27b	£77,818
Group 8 (L28-L43)	L28	£79,748
	L29	£81,723
	L30	£83,757
	L31a	£84,976
	L31	£85,826
	L32	£87,960





	L33	£90,145
	L34	£92,373
	L35a	£93,732
	L35b	£94,669
	L36	£97,013
	L37	£99,424
	L38	£101,885
	L39a	£103,334
	L39b	£104,368
	L40	£106,972
	L41	£109,644
	L42	£112,392
Maximum	L43	£114,060

Points 18a, 21a, 24a, 27a, 31a, 35a, 39a and 43 on the Leadership Pay Range are the salary figures for headteachers at, or moving to, the top of the school group ranges only. These apply unless the relevant body has chosen to pay a higher salary in accordance with paragraph 9 of Section 2 of the STPCD 2019.





Appendix E - Withdrawal from Trust Board & LGB Meetings

The School Governance (Procedures) (England) Regulations 2003 provide regulations on this in the Schedule relating to regulation 14 as follows:

Restrictions on persons taking part in proceedings of the Trust Board or its committees:

1. Pecuniary interests

- (1) Subject to sub-paragraphs (5) and (6), if a relevant person (as defined by regulation 14) has any pecuniary interest, direct or indirect, in a contract, proposed contract or other matter and is present at a meeting of the school at which the contract or other matter is the subject of consideration, he shall at the meeting, and as soon as practicable after its commencement, disclose that fact and withdraw from the meeting during the consideration or discussion of the contract or matter and he shall not vote on any question with respect to the contract or matter.
- (2) Subject to this paragraph a relevant person may enter into a contract with the Trust Board/LGB from which he is entitled to profit.
- (3) A person shall be treated as having an indirect pecuniary interest in a contract, proposed contract or other matter if –
 - (a) he is himself a person with whom the contract was made or has a direct pecuniary interest in the matter under consideration;
 - (b) he was nominated or appointed to office by a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the matter under consideration; or
 - (c) he is a partner of a person, or he was nominated or appointed to office by a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the matter under consideration;

Provided that a person shall not by virtue of this sub-paragraph be treated as having such an interest by reason only of his nomination or appointment by, his membership of, or his employment by, any public body; or by reason of his membership of a corporation or other body if he has no financial interest in any securities of that corporation or other body.

- (4) For the purposes of this paragraph, a person shall be treated as having a direct or indirect pecuniary interest in a contract, proposed contract or other matter if a relative (including his spouse or someone living with that person as if he or she were that person's spouse), to his knowledge has, or would be treated as having, such an interest.
- (5) For the purposes of this paragraph, a relevant person who is paid to work at the school shall not be treated as having a direct or indirect pecuniary interest in a contract, proposed





contract or other matter by reason only of having an interest in the contract or other matter that is no greater than the interest of the generality of those paid to work at the school.

- (6) Members of the Trust Board shall not, by reason of their pecuniary interest in the matter, be prevented from considering and voting upon proposals for the Trust Board to take out insurance protecting members against liabilities incurred by them arising out of their office and the Trust Board shall not, by reason of the pecuniary interest of its members, be prevented from obtaining such insurance and paying the premiums.

2. Pay or appraisal of persons working at the school

- (1) This sub-paragraph applies where a relevant person who is paid to work at a school other than as Headteacher/HOS is present at a meeting of the school at which a subject of consideration is the pay or performance appraisal of any particular person employed to work at the school.
- (2) This sub-paragraph applies where a HT of a school is present at a meeting of the school at which a subject of consideration is his own pay or performance appraisal.
- (3) In any case where sub-paragraph (1) or (2) applies, the person first mentioned in that sub-paragraph shall withdraw during the consideration or discussion of the matter in question and shall not vote on any question with respect to that matter.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 14 and the Schedule deal with conflicts of interest and the circumstances in which Governors and others who are otherwise entitled to attend meetings of the Trust Board or its committees must withdraw and not vote. The general principle is that where there is a conflict between the interests of such a person and the interests of the Trust Board or its committees, or where the principles of natural justice require a fair hearing and there is any reasonable doubt about that person's ability to act impartially, he should withdraw from the meeting and not vote.





Appendix F1 - Pay Appeal Arrangements - Part One: Background and Stages of Appeals Process

1.0 Background

A teacher may seek a review or appeal against any pay determination, if for example, they believe that the person or committee by whom the decision was made:

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

Schools should ensure that an appeal procedure is in place before any pay determinations are made. The adoption of an appeals procedure after a pay appeal has already been lodged could leave schools open to a legal challenge.

2.0 Informal – Stage One: Informal discussion with appraiser or CEO/HT prior to confirmation of pay recommendation

2.1 As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting **prior** to being submitted to the Governor/Director Pay Committee. Written details of and the reasons for the pay recommendation will be given to the teacher.

2.2 At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so **before** the final pay recommendation is drafted in the appraisal report.

2.3 The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

2.4 This stage in the process may also mitigate the need to embark on further stages of the appeals process.





3.0 Formal –Stage Two: Representation to the Governors’/Directors’ Pay Committee

3.1 In the event that the teacher continues to be of the view that an incorrect recommendation will be made, the teacher may make representation to the relevant Pay Committee making the final decision (i.e. senior staff make representation to the Directors’ Pay Committee and non-senior staff to the Governors’ Pay Committee). The teacher will be required to submit a formal written statement to the relevant Pay Committee making the determination setting down in sufficient detail the grounds for not agreeing with the pay recommendation.

3.2 The teacher can elect to attend the meeting with the relevant Pay Committee who will make the pay determination. The recommendation provider should also be invited to attend the meeting in order to clarify the basis for the original decision. In these circumstances all parties will be notified at the earliest opportunity of the date and time of the Pay Committee and the employee will be entitled to be accompanied by a colleague or union representative.

3.3 On determining a teacher’s pay, the relevant Pay Committee will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm the teacher’s right to appeal against the decision.

3.4 If on determining a teacher’s pay, the relevant Pay Committee will write to the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal.

4.0 Formal - Stage 3: Formal Appeal Hearing with an Appeal Panel of Governors

4.1 If the teacher wishes to appeal against the decision, they must do so in writing to the Chair of the relevant Pay Committee, within 10 working days of the notification of the pay decision. The appeal must include a statement, in sufficient detail, of the grounds of the appeal on which they will rely.

4.2 On receipt of the written appeal, the clerk to the relevant Pay Committee will establish an appeal committee that should consist of three Directors/Governors (as appropriate), none of whom are employees in the Trust or have been previously involved in the relevant pay determination process and convene a meeting of the appeal committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. The Chair of the Pay Committee will be required to attend the meeting and present the case and they may call a management representative as a witness who may or may not be the CEO/HT.

4.14 The Procedure to be followed is outlined in **Part Two** of this Appendix.





Appendix F2 - Pay Appeal Arrangements - Part Two: The Appeal Committee

Proceedings for appeal committee hearings

1. Preliminary Matters

- 1.1 Any Member of the Appeal Panel who has been involved in the previous stages of the procedure shall not participate in the proceedings.
- 1.2 The meeting shall take place in a private session and all parties shall be reminded that proceedings are confidential.
- 1.3 The Teacher may be accompanied/represented by a fellow worker who may be a Trade Union representative.
- 1.4 It should be established whether the services of an interpreter are required.
- 1.5 Facilities shall be provided for each side to meet separately.
- 1.6 The function of the Appeal Panel is to either uphold the appeal from the teacher or to uphold the original decision.

2. Outline of the Procedure to be followed

- 2.1 The Clerk to the Panel shall confirm that the Panel is correctly constituted and that the preliminary matters in paragraph 1 above have been carried out.
- 2.2 The parties to the matter, with their representatives, if any, should be invited into the meeting.

3. Opening Remarks by Chair of the Panel

- 3.1 Introducing those present at the appeal
- 3.2 Advising that an adjournment may be requested at any time during the appeal.
- 3.3 Outlining the reason(s) for calling the hearing.
- 3.4 Outline the procedure that will be followed so all parties are aware
- 3.5 Confirm that questions asked by any party should be relevant and necessary. Where this is not the case the Chair of the panel can choose to disallow.





4. The Procedure

- 4.1 The Teacher or his/her representative presents his/her case.
- 4.2 The CEO (for Directors' Appeal Panel) or HT (for Governors' Appeal Panel) may ask the teacher questions. These should be appropriate and relevant.
- 4.3 The Appeal Panel may ask the Teacher questions.
- 4.4 The Chair of the relevant Pay Committee may also ask the Teacher questions.
- 4.5 The Chair of the Pay Committee will outline the management response. The Chair of the Pay Committee may elect to call the designated management representative as a witness, who may or may not be the CEO or HT.
- 4.6 The Teacher and/or their representative may ask questions of the Chair of the Pay Committee and/or the management representative.
- 4.7 The Appeal Committee may ask the Chair of the Pay Committee and/or the management representative questions.
- 4.8 The management representative will be asked leave the meeting.
- 4.9 Both parties will be asked to present a closing statement.
- 4.10 Both parties will leave the room whilst the panel determine the facts. They may seek the advice of any attending officer on questions of law and procedures only. If the panel decides to recall either side to clarify points, then both parties will be invited to return for that clarification.
- 4.11 The Panel shall reach a decision and inform all parties in writing within five working days.
- 4.12 In the event, if the matter being considered is a complex one that requires more time or investigation, then, with agreement of all parties including the Teacher and their representative, a new timescale will be agreed in order for the outcome to be communicated to the Teacher.
- 4.13 Where an appeal is not upheld, the decision should also be communicated to the Teacher in writing, including a summary of the evidence considered and the reasons for the decision.





- 4.14 Pay appeals decisions are final and binding on both parties and may not be reopened under grievance procedures. Grievance procedures cannot be used for appeals against pay decisions.

Each committee is required to provide a confidential minute of the record of the decision and of any recommendations of the meeting to the next meeting of the full Trust Board or LGB. This record should refer to "the parties" rather than the named individuals.

