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**TEACHERS’ PAY POLICY**

**SEPTEMBER 2019**

**St. Mary’s R.C. Primary School**

**Document Control**

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**SCHOOL PAY POLICY 2019 TEACHERS**

**1. INTRODUCTION**

1.1 This policy for teachers pay has been consulted on between the Rochdale Borough Council - the Local Authority and the recognised Teachers’ Associations and is recommended to the relevant bodies of schools with delegated powers of local management and Academies. The term ‘relevant body’ used throughout this procedure shall be taken to include those persons or committees acting in the name of the relevant body. The term ‘Headteacher’ used throughout this procedure shall be taken to include Executive Headteacher, Head of School or Principal.

1.2 This policy is consistent with the powers granted to relevant bodies by the annual School Teachers’ Pay and Conditions Document issued by the Secretary of State for Education under the provisions of the School Teachers’ Pay and Conditions Act 1991. In particular, it follows closely the advice set out in the relevant School Teachers’ Pay and Conditions of Employment Circulars issued by the DfE. The pay policy should be linked to the schools Appraisal policy which must:

* be taken into account by the Headteacher’s Performance Management Committee when making a determination of performance pay for the Headteacher;
* be taken into account by the Headteacher when advising the Personnel & Pay Implementation Committee in making a determination of performance pay for all teaching staff.

1.3 The aim of this policy is:

* To provide a coherent and transparent Borough wide scheme for the remuneration of teachers employed in maintained schools within Rochdale Local Authority.
* To provide clear budget predictability for teacher staffing costs for schools working as part of the Local Authority scheme so that the annual school budget can be appropriately managed.
* To provide a direct incentive to the best qualified, most able teachers to seek to work in schools in Rochdale.
* To offer teachers who choose to work in schools covered by the Rochdale scheme a clear, transparent career pay structure including an identifiable progression route in the early years of the teachers’ careers.
* To appoint staff in accordance with the school’s staffing structure to a point agreed at interview but within the advertised range.
* Teachers may only progress through the pay points subject to their performance being assessed as satisfactory through the schools agreed Appraisal Policy and have demonstrated that they are competent in all elements of the published teacher’s standards. It will be possible for a ‘no progression’ determination to be made without recourse to the capability procedure.

This policy will be monitored and reviewed on an annual basis by the Governing Board. Governors should agree with the Headteacher what information and data is to be provided, and when, in order to fulfil their monitoring role effectively and to avoid making unreasonable requests during the course of the year. Governor should review the policy in light of their responsibilities under the Equalities Act 2010 including the public sector Equality Duty.

**2. CONTEXT**

2.1 A relevant body with delegated powers of local management is required to adopt a pay policy for its teaching staff, which follows closely the aims and objectives set out in the School Development Plan. Such a pay policy must also be consistent with the statutory and contractual framework applicable to particular groups of staff i.e. in the case of teachers the ‘School Teachers’ Pay and Conditions Document’ and the Education (School Teachers’ Appraisal) (England) Regulations 2012.

2.2 In developing and applying a Teachers’ pay policy the relevant body will seek:

* to maximise the quality of teaching and learning at the school;
* to support the recruitment and retention of a high quality teacher workforce;
* enable the school to recognise and reward teachers appropriately for their contribution to the school
* help to ensure that decisions on pay are managed in a fair, just and transparent way whilst eliminating unnecessary bureaucracy for all concerned.
* to ensure all pay decisions are made using objective criteria so that there is no discriminatory effect on any teacher or group of teachers with a protected characteristic. All pay decisions will be made in accordance with relevant legislation, such as the:
* 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
* The Agency Workers Regulations 2010
* to maintain and improve the quality of education provided for pupils in the school by having a Teachers’ Pay Policy and staffing structure which supports the aims of the School Development Plan;
* to ensure that the flexibilities and discretions available to the relevant body are used in a positive and constructive way within the resources available to the school.

2.3 In developing a Teachers’ pay policy the relevant body will seek the advice of the Director of Children’s Services or their nominee and will consult with the accredited union representatives where changes to a model policy are to be made. A copy of the Teachers’ pay policy, when adopted, will be brought to the attention of all teaching staff employed to work at the school, and to every new teacher on appointment.

2.4 Schools are advised to have in place a validation mechanism in which their pay and appraisal decisions are considered in a robust, fair and transparent way. Schools will need to consider the school’s Appraisal Policy for Senior Leadership inclusive of the Headteacher, to ensure that appropriate validation mechanisms are in place in line with agreed policies.

2.5 Governing Boards and Headteachers, in carrying out their duties, must have regard to the need for the Headteacher and Teachers at the school to be able to achieve a satisfactory balance between the time required to discharge their professional duties including, in particular, in the case of teachers to whom paragraphs 52.2-52.12 of the School Teachers Pay and Conditions Document (STP&CD) apply, their duties under paragraph 52.7 of the STP&CD, and the time required to pursue their personal interests outside work. In having regard to this, Governing Boards and Headteachers should ensure that they adhere to the working limits set out in the Working Time Regulations 1998(20).

2.6 A fundamental principle that schools must take into account when developing, implementing and reviewing pay and appraisal policies is the need to minimise the impact on workload for individual teachers, line managers and Headteachers. Schools should always seek to approve policies and processes that avoid unnecessary bureaucracy for all parties concerned; for example, reviewing the process for collecting evidence for appraisal purposes. Policies and processes should be proportionate and able to support robust decisions and use evidence in appraisal decisions that is readily available from day to day practice in school. Schools should ensure that all teachers are treated fairly and should take particular care in respect of those teachers who have different working patterns or those with particular protected characteristics under equality legislation. Teacher objectives should be aspirational yet achievable, and based on success criteria which are in their control.

2.7 Governing boards and Headteachers also have a duty of care to protect the health, safety and welfare of their staff under the Health and Safety at Work Act 1984 and should ensure staff wellbeing is routinely considered in setting appraisal objectives and all performance related pay arrangements and decisions.

**3. EQUALITY**

3.1 The Schools HR Service aims to review regularly all the policies and procedures we operate to ensure there are no negative equality impacts on staff based on their age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation as outlined in the Equality Act 2010. Consultation with our customers is an important part of how we achieve this. If you feel, on reading this policy, that there may be a negative equality impact within your school, please tell us about this. Please also let us know if you need to access this policy in a different format.

**4.0 PROCEDURE**

4.1 The relevant body will establish ‘Committees’ and a scheme of delegation to determine who will be responsible for pay issues including a Resources Committee to review pay policies, a Personnel and Pay Implementation Committee and Personnel Appeals Committee to deal with cases relating to individuals. Such committees should be established by the full relevant body with clear terms of reference and reviewed on an annual basis. The Personnel and Pay Implementation Committee will be responsible for the annual salary assessment of all teaching staff, including Assistant Headteachers, Deputy Headteachers and Headteacher, in accordance with the criteria set out in the School Teachers’ Pay and Conditions Document.

4.2 Governing Boards have a number of options available to in relation to how they approach pay progression based on performance. Governors could consider:

* Whether the measures of performance will be absolute or relative or a combination of both
* The levels of performance that will be required for progression to be awarded
* How progression will be differentiated – so that the very highest performers can progress faster.)

The example provided at Appendix 8 relates to absolute performance measures. Other examples are available in the DfE document titled Implementing your school’s approach to pay.

Objectives provide an important basis for assessing performance, but they are not the only opportunity/possibility. Meeting objectives need not necessarily mean that a teacher is awarded pay progression, though schools can make that a criterion for pay progression if they so wish. A school might consider that a teacher - who has made good progress, but not quite achieved, a very challenging objective - has performed better and made a more significant contribution than a teacher who met in full a less stretching objective. Similarly, a teacher may have achieved all their objectives but failed to meet all of the relevant standards. As part of a fair and open process, objectives should be agreed with teachers. This will be valuable in reducing workload and bureaucracy in terms of avoiding disputes between the appraiser and appraisee.

There is however no obligation to increase an individual’s pay unless it is warranted by performance. For instance, teachers may be performing satisfactorily, meeting most of their objectives (but not all) and with much of their teaching (but again not all) assessed as good. In such circumstances the school may consider that such a level of performance will result in zero pay progression in that year.

4.3 The relevant body will review every teacher’s salary with effect from 1st September and no later than 31st October (except in the case of the Headteacher for whom the deadline is 31st December) each year and give them a written statement[[1]](#footnote-1) setting out their salary and other financial benefits as specified in the document. 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 in 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. This should be provided to the teacher within one month of the review.

4.4 Where a pay determination leads or may lead to the start of a period of safeguarding, the relevant body will give the required notification as soon as possible and no later than one month after the date of the determination.

4.5 A copy of the salary assessment\* should be retained by the school for audit purposes in accordance with the retention policy (6 Years) following issue to the member of staff. Staff should be advised to retain a copy of the salary assessment\* which may be required as evidence to future/prospective employers. Pay changes should be immediately notified to the Schools HR and Payroll provider.

4.6 A summary of each anonymised salary assessment\* made by the Personnel and Pay Implementation Committee will be submitted to the next meeting of the relevant body for information. Staff governors are not able to take part in a meeting in relation to any pay discussions or decisions relating to any members of staff within the school. This agenda item should also be treated as a confidential minute.

4.7 A teacher who believes that s/he has been unjustly or unfairly assessed by the committee responsible for pay, may invoke the school’s agreed Appeal Procedures relating to pay issues. Prior to invoking the appeals procedure, the teacher if not satisfied, should seek to resolve any issues informally with their appraiser within five working days of the appraisal decision being made and the recommendation being advised to the teacher.

4.8 Schools should ensure that their pay policies do not discriminate on grounds of disability or pregnancy/maternity status. Schools should ensure that the pay progression criteria recognises the potential for indirect discrimination in relation to pay progression decisions, and that measures which disadvantage teachers on grounds of absence due to pregnancy/maternity or disability are potentially discriminatory and therefore unlawful. Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision because of her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increase that she would have received, following appraisal, had she not been on maternity leave.

Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, including where a teacher has been absent for part or all of the reporting year.

4.9 In those circumstances, schools should ensure that the absent teacher receives fair treatment while ensuring the integrity and robustness of the school’s appraisal process for all teachers. When considering these options, schools should seek to ensure that they minimise bureaucracy for all involved. Schools should consider conducting appraisals prior to individuals departing on maternity leave, even if this is early in the appraisal year, and basing any appraisal and pay determination on the evidence of performance to date in that appraisal year. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current year. However, schools should not require teachers to use Keeping in Touch (KIT) days for the purposes of appraisal.

4.10 Schools should ensure that their pay and appraisal policies incorporate any adjustments which can reasonably be made to give a teacher who is absent for disability related reasons an equal opportunity to participate in appraisal and to access pay progression. While there is no equivalent of the “maternity equality clause” (i.e. the clause that deems a woman to have received a pay rise to which she would have been entitled had she not been on maternity leave) in the Equality Act, schools should consider utilising the same range of options outlined above for teachers on maternity leave.

4.11 When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher’s disability or the refusal cannot be objectively justified.

4.11 The decision of the Personnel Appeal Committee will be final. However, staff will retain the right to pursue complaints under the Equal Pay Act 1970 for a breach of contract of discrimination to an Employment Tribunal.

**5. LEADERSHIP GROUP PAY**

**Reference Point**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **HEADTEACHER ONLY** | **All other Leadership posts** |  |  | **HEADTEACHER ONLY** | **All other Leadership posts** |
| **L1** | £41,065 | £41,065 |  | **L23** | £70,556 | £70,556 |
| **L2** | £42,093 | £42,093 |  | **L24** | £71,590 | £72,306 |
| **L3** | £43,144 | £43,144 |  | **L25** | £74,103 | £74,103 |
| **L4** | £44,218 | £44,218 |  | **L26** | £75,936 | £75,936 |
| **L5** | £45,319 | £45,319 |  | **L27** | £77,048 | £77,818 |
| **L6** | £46,457 | £46,457 |  | **L28** | £79,748 | £79,748 |
| **L7** | £47,707 | £47,707 |  | **L29** | £81,723 | £81,723 |
| **L8** | £48,808 | £48,808 |  | **L30** | £83,757 | £83,757 |
| **L9** | £50,026 | £50,026 |  | **L31** | £84,976 | £85,826 |
| **L10** | £51,311 | £51,311 |  | **L32** | £87,960 | £87,960 |
| **L11** | £52,643 | £52,643 |  | **L33** | £90,145 | £90,145 |
| **L12** | £53,856 | £53,856 |  | **L34** | £92,373 | £92,373 |
| **L13** | £55,202 | £55,202 |  | **L35** | £93,732 | £94,669 |
| **L14** | £56,579 | £56,579 |  | **L36** | £97,013 | £97,013 |
| **L15** | £57,986 | £57,986 |  | **L37** | £99,424 | £99,424 |
| **L16** | £59,528 | £59,528 |  | **L38** | £101,885 | £101,885 |
| **L17** | £60,895 | £60,895 |  | **L39** | £103,334 | £104,368 |
| **L18** | £61,808 | £62,426 |  | **L40** | £106,972 | £106,972 |
| **L19** | £63,975 | £63,975 |  | **L41** | £109,644 | £109,644 |
| **L20** | £65,561 | £65,561 |  | **L42** | £112,392 | £112,392 |
| **L21** | £66,517 | £67,183 |  | **L43** | £112,931 | £114,060 |
| **L22** | £68,851 | £68,851 |  |  |  |  |

|  |  |
| --- | --- |
|  | **England (excluding the London Area)**  **£** |
| **Group 1** | 46,457 – 61,808 |
| **Group 2** | 48,808 – 66,517 |
| **Group 3** | 52,643 – 71,590 |
| **Group 4** | 56,579- 77,048 |
| **Group 5** | 62,426 – 84,976 |
| **Group 6** | 67,183- 93,732 |
| **Group 7** | 72,306 – 103,334 |
| **Group 8** | 79,748 – 114,060 |

|  |  |
| --- | --- |
| **Current Range for Headteacher** | |
|  | **£** |
| Minimum | L18 £61,808 |
| Maxima | L24 £71,590 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Current Range for Deputy Headteacher** | | | | |
|  | Post 1 | Post 2 | Post 3 | Post 4 |
| Minimum | L10  £51,311 |  |  |  |
| Maxima | L14  £56,579 |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Current Range for Assistant Headteacher** | | | | |
|  | Post 1 | Post 2 | Post 3 | Post 4 |
| Minimum | L4  £44,218 |  |  |  |
| Maxima | L8  £48,808 |  |  |  |

**Appointment to Leadership posts with effect from 1St September 2019**

The relevant body must determine a salary for newly appointed Headteachers, Deputy Headteachers or Assistant Headteachers in accordance with the School Teachers’ Pay and Conditions document.

### Determination of the School’s Group Size

### In order to determine the Headteachers pay the relevant body must assign its school to a Headteacher group size which will form the basis of a National Framework of pay bands linked to pupil numbers.

### Determination of Leadership Pay Range

### The relevant body must determine a pay range for Headteachers, Deputy Headteachers or Assistant Headteachers in accordance with paragraphs 4.1 to 9.4 of the School Teachers’ Pay and Conditions document. When determining the leadership pay range, the relevant body must take into account all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations. When making an appointment the relevant body should have access to benchmarking data, including on pay levels and on school challenge and context. It is recommended that the relevant body has access to specialist HR advice as well as support from a professional clerk able to -advise the relevant body on their duties. This will help the relevant body reach and document properly justified decisions.

In the case of a new appointment, the relevant body may wish to consider adjusting the pay range to take account of how closely their preferred candidate meets the requirements of the post. The relevant body must ensure that there is appropriate scope within the range to allow for performance related progression over time. The relevant body will need to ensure that appropriate head room is given for pay progression.

* Headteacher pay ranges will be 7 points
* Deputy & Assistant Headteacher pay ranges will be 5 points

Pay ranges for Headteachers should not normally exceed the maximum of the Headteacher group. However, the Headteacher’s pay range may exceed the maximum where the relevant body determines that circumstances specific to the role or candidate warrant a higher than normal payment. The relevant body must ensure that the maximum of the Headteacher’s pay range does not exceed the maximum of the Headteacher group by more than 25% unless in exceptional circumstances and where supported by a business case.

Please refer to Appendix 1 on the structure of Teachers’ pay.

The maximum of the Deputy or Assistant Headteacher’s pay range must not exceed the maximum of the Headteacher group for the school. The pay range for a Deputy or Assistant Headteacher should only overlap the Headteacher’s pay range in exceptional circumstances and where this is supported by a business case.

The relevant body will ensure that the process of determining the remuneration of the Leadership Group is fair and transparent. There will be a proper record made of the reasoning behind the determination of Leadership Pay Ranges and the ratification of decisions made in this respect.

There is no automatic right to pay progression or pay review once a postholder reaches the maxima of their range. Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance.

Where an appraisal outcome confirms the Headteacher has met their individual objectives; is meeting all of the Headteacher Standards; pupil progress is improving; there has been positive impact on wider outcomes for pupils; improvements can be evidenced in specific elements of practice such as behaviour management or lesson planning; evidence exists of positive impact on the effectiveness of teachers or other staff and they are making a wider contribution to the school.

**Determination of discretionary payments to Headteachers**

The relevant body may determine that additional payments can be made to a Headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. The relevant body should ensure that the temporary responsibility must not have previously been taken into account when determining the Headteacher’s pay range.

In accordance with the School Teachers’ Pay and Conditions document the total sum of the discretionary payments made to a Headteacher in any school year must not exceed 25% of the annual salary which is otherwise payable to the Headteacher, and the total sum of salary and other payments made to a Headteacher must not exceed 25% above the maximum of the Headteacher group.

However additional payments can be made in accordance with:

(a) School Teachers’ Pay and Conditions document where residential duties are a requirement of the post; or

(b) School Teachers’ Pay and Conditions document to the extent that the payment is in respect of relocation expenses which relate solely to the personal circumstances of that Headteacher.

The relevant body may determine that additional payments be made to a Headteacher which exceed the limit of the Headteacher’s pay range plus 25% of the annual salary. However any additional payment can only be made in wholly exceptional circumstances and with the agreement of the relevant body. The relevant body must seek external independent advice before providing such agreement and it is recommended that the relevant body has access to specialist HR advice, as well as support from a professional clerk able to advise the relevant body on their duties.

**Pay progression for members of the Leadership group**

The relevant body must consider annually whether or not to increase the salary of members of the leadership group (namely Headteachers, Deputy Headteachers and Assistant Headteachers) who have completed a year of employment since the previous pay determination and, if so, to what salary within the relevant pay range.

The relevant body must decide how pay progression will be determined, subject to the following:

1. the decision whether or not to award pay progression must be related to the individual’s performance, as assessed through the school or authority’s appraisal arrangements in accordance with the 2012 regulations in England~~;~~
2. a recommendation on pay must be made in writing as part of the individual’s appraisal report, and the relevant body must have regard to this recommendation;
3. pay decisions must be clearly attributable to the performance of the individual;

sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the 2012 appraisal regulations

1. where the relevant body has determined a pay range the maximum of which exceeds the highest salary payable, it must continue to pay any salary determined by reference to that pay range until such time as it reassesses the pay range for its leadership posts under the provisions of the School Teachers’ Pay and Conditions document.

## 6. CLASSROOM TEACHER PAY

### PAY PROGRESSION LINKED TO PERFORMANCE

Teachers can expect to receive regular, constructive feedback on their performance as part of the school’s appraisal cycle 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. The school should manage the appraisal process so that there are no surprises at the end of the cycle.

Decisions regarding pay progression will be made with reference to the teacher’s appraisal reports and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

To ensure pay decisions within this school remain fair and transparent, all pay assessments and pay recommendations will be properly rooted in evidence and in accordance with School’s Appraisal Policy.

A recommendation on pay by the Appraiser must be made in writing as part of the Teacher’s appraisal report. Final decisions about whether or not to accept a pay recommendation will be made by the Personnel & Pay Implementation committee, having regard to the appraisal report and relevant evidence and taking into account advice from the senior leadership team. The Personnel and Pay Implementation Committee will consider its approach in the light of the school’s budget and ensure that appropriate funding is allocated for pay progression at all levels. Any teacher not satisfied with the pay recommendation of the appraiser will be able to seek to resolve this matter informally by discussion with the appraiser within 5 working days of the appraisal decision being made, and the pay recommendation being advised to the teacher, prior to invoking an appeals procedure.

All Classroom Teachers will have individual decisions on performance based progression following the 2018/19 Appraisal cycle.

There are four pay ranges for Classroom Teachers:

1. the main pay range (MPR) for Qualified Teachers who are not entitled to be paid on any other pay range;
2. the upper pay range (UPR);
3. the pay range for leading practitioners whose primary purpose is to model and lead the improvement of teaching skills; and
4. the Unqualified Teacher range (UTR).

Any pay increase awarded to a Teacher on the main pay range, the upper pay range, or the Unqualified Teacher pay range, in accordance with the School Teachers’ Pay and Conditions document or any movement between those pay ranges must be permanent for as long as the teacher remains employed in that role within the same school.

**The main pay range from 1st September 2019**

A Teacher on the main pay range must be paid such salary within the minimum and maxima of the main pay range set out below as the relevant body determines.

The Main Pay Range for Teachers is:

|  |  |
| --- | --- |
| **Main Pay Range for Teachers** | |
| Minimum | £24,373 |
| Maxima | £35,971 |

### 

With effect from 1st September 2019, the relevant Body will determine the pay range for a vacancy prior to advertising it. This should be consistent with the school staffing structure. On appointment it will determine the starting salary to be offered to the successful candidate.

The relevant body will apply the principal of pay portability in making pay determinations for new appointees except where the post has a specific salary range advertised that is in accordance with the service’s consulted and published staffing structure. The services/school’s staffing structure is included at appendix \*\*\*. Salary assessments should take place upon appointment, in accordance with the Teachers’ Pay Policy.

The starting salary should reflect the needs and circumstances of the school and support the relevant body’s staffing structure and priorities for the school’s future development as well as outcomes from Appraisal reviews. The school’s pay policy should address these issues.

In making such determinations, the relevant body may take into account a range of factors, including:

* the nature of the post
* the level of qualifications, skills and experience required
* market conditions
* the wider school context

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school and salary assessments should take place upon appointment, in accordance with the teachers’ pay policy.

Newly qualified teachers will be appointed at the point on the pay range, as determined by the Headteacher with further progression through the pay range following successful completion of the newly qualified teacher induction period as recommended by the Headteacher. Whilst there is no longer any statutory requirement in the STPCD for the relevant body to award NQTs pay progression (where there is compelling and objectively justifiable grounds for not doing so) on the completion of induction, it is free to do so if it chooses.

Payment for NQTs to be made on the following basis:-

Payment decision

The Personnel and Pay Implementation Committee shall determine the point on which each individual teacher shall be paid with effect from 1st September, except where the relevant body determines to amend a Teacher’s salary by agreement that determination shall only take effect from the date when it was actually made.

The following criteria and notes for guidance should be read in conjunction with the School Teachers’ Pay and Conditions Document 2019, current DfE Circular relating to this year’s pay advice and the DfE document titled Implementing your school’s approach to pay.

The School will use a 6 point main pay range with the following values.

|  |  |
| --- | --- |
| 1 | £24,373 |
| 2 | £26,298 |
| 3 | £28,413 |
| 4 | £30,599 |
| 5 | £33,010 |
| 6 | £35,971 |

NB: to clarify this 6 point range (no split a/b) is the Local Authority Main Pay Range for Centrally Employed Teachers.

### 7. UPPER PAY RANGE

### A teacher on the upper pay range must be paid such salary within the minimum and maxima of the upper pay range set out below as the relevant body determines. The upper pay range is:

|  |  |
| --- | --- |
| **Upper Pay Range for Teachers** | |
| Minimum | £37,654 |
| Maxima | £40,490 |

From 1st September 2018, any qualified teacher who can demonstrate highly competent, sustained and substantial performance may annually apply to be paid on the Upper Pay Range in line with the teachers’ pay policy. The Appraiser shall assess applications against the criteria and make a pay recommendation. Applications are to be made by submission of an application form by [date as determined by school] at Appendix 9. It is the responsibility of individual teachers to decide whether or not they wish to apply to be paid on the upper pay range.

An application from a qualified teacher will be successful where the relevant body is satisfied:

1. that the teacher is highly competent in all elements of the relevant standards; and
2. that the teacher’s achievements and contribution to an educational setting or settings are

substantial and sustained

(The above are in accordance with the definitions stated in this policy)

Applications for progression to Upper Pay Range should be made at the beginning of the appraisal cycle following discussions with the Appraiser prior to an application being submitted.

Teachers achieving the Upper Pay Range in keeping with all other salary assessments will be reviewed annually. The Personnel and Pay Implementation Committee may determine to progress the pay of an Upper Pay Range teacher every two years or less if deemed appropriate.

**Note -** 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 upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

**Assessment of applications to be paid on Upper Pay Range**

Schools are free to set out in their pay policies their interpretation of the criteria for progression to the upper pay range and neither the DfE nor OfSTED specify what these should be. The pay policy must make clear how the relevant body will interpret "highly competent", "substantial" and "sustained". Teachers must not simply be assumed or deemed to be meeting the criteria in the absence of any evidence to the contrary.

The Appraiser will judge an application for progression to Upper Pay Range in relation to the Teacher Standards and the following criteria, namely that:

They are highly competent in all elements of the relevant standards and; their achievements and contribution to the school are substantial and sustained

Within this school, this means: (this should be populated by the school as their school specific requirements against the definitions)

**“Highly competent”:**

The teacher’s performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers’ Standards in the particular role they are fulfilling and the context in which they are working. 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. Contribution 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 development and use the outcomes effectively to improve pupils’ learning.

**“Sustained”:**

The teacher must have had a minimum of two consecutive successful appraisal outcomes;

* Teachers will be required to show that their teaching expertise has grown over the
* relevant period [school to determine] and is consistently good to outstanding.

Further information, including information on sources of evidence, is contained within the school’s appraisal policy.

The School will continue to use a 3 point Upper Pay Range with values in line with the following pay scale.

|  |  |
| --- | --- |
| UPR 1 | £37,654 |
| UPR 2 | £39,050 |
| UPR 3 | £40,490 |

**8. LEADING PRACTITIONERS**

Leading Practitioner posts have the primary purpose of modelling and leading improvement of teaching skills. Leading Practitioners will remain on their current range unless there is a significant change to their responsibilities.

* Leading Practitioner pay ranges will be 5 points

|  |  |
| --- | --- |
| **Leading Practitioners Pay Range 2019** | |
|  | **Annual Salary Range** |
| **England (excluding the London Area)** |
|  | **£** |
| Minimum | £41,267 |
| Maxima | £62,735 |

|  |  |
| --- | --- |
| 1 | £41,267 |
| 2 | £42,301 |
| 3 | £43,357 |
| 4 | £44,436 |
| 5 | £45,543 |
| 6 | £46,685 |
| 7 | £47,942 |
| 8 | £49,048 |
| 9 | £50,273 |
| 10 | £51,564 |
| 11 | £52,902 |
| 12 | £54,121 |
| 13 | £55,474 |
| 14 | £56,857 |
| 15 | £58,272 |
| 16 | £59,821 |
| 17 | £61,195 |
| 18 | £62,735 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Current range for Leading Practitioners** | | | | |
|  | Post 1 | Post 2 | Post 3 | Post 4 |
| Minimum |  |  |  |  |
| Maxima |  |  |  |  |

### 

**9. UNQUALIFIED TEACHERS**

### Pay range for unqualified teachers from 1 September 2019

An unqualified teacher must be paid such salary within the minimum and maxima of the unqualified teacher pay range set out below as the relevant body determines. Unqualified Teachers should only be used if there are **proven** difficulties in relation to recruitment to a specific curriculum area or specialism or if an individual is on route to gaining Qualified Teacher Status. Unqualified Teachers should only be appointed to a temporary contract pending appointment of a Qualified Teacher. This should be reviewed on a termly basis unless on a temporary contract on route to gaining QTS.

**Appraisal for unqualified teachers**

Schools must annually consider the performance and pay of unqualified teachers in accordance with the School’s Appraisal Procedure.

The relevant body may determine an additional allowance as they consider appropriate to an Unqualified Teacher where they consider that his/her salary is not adequate having regard to his/her responsibilities or to any qualifications or experience relevant to his/her specialised form of Teaching. In the context of the school staffing structure and pay policy any additional sustained responsibility should be:

1. focussed on Teaching and Learning and requires the exercise of a Teacher’s professional skills and judgement; or
2. qualifications or experience which bring added value to the role being undertaken.

The School will use a 6 point pay range with values in line with the following pay scale.

|  |  |
| --- | --- |
| 1 | £17,682 |
| 2 | £19,739 |
| 3 | £21,794 |
| 4 | £23,851 |
| 5 | £25,909 |
| 6 | £27,965 |

**10. ALLOWANCES AND OTHER PAYMENTS**

1. **Teaching and Learning Responsibility**

A Teaching and Learning Responsibility payment (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 he**/**she is made accountable.

[Note: TLRs can only be awarded to posts held by qualified teachers paid on the Main Pay Range or Upper Pay Range. They cannot be awarded to Unqualified teachers, Leading Practitioners or members of the Leadership Group]

TLRs are awarded at the discretion of the relevant body. TLR [1 or 2] will be awarded to the holders of the posts indicated in the attached staffing structure and will be assigned for the duration of the post.

The annual value of a TLR1 must be no less than £8,069 and no greater than £13,654. The annual value of a TLR2 must be no less than £2,796 and no greater than £6,829.

Before awarding any TLR the relevant body must be satisfied that the teacher’s duties include a significant responsibility that is not required of all classroom teachers and that:

1. is focused on teaching and learning,
2. requires the exercise of a teacher’s professional skills and judgement,
3. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum,
4. has an impact on the educational progress of pupils other than the teacher’s assigned classes or groups of pupils, and
5. involves leading developing and enhancing the teaching practice of other staff.

This does not mean that Teachers can be expected to take on the responsibility of, and accountability for, a subject area or to manage other teachers without appropriate additional payment.

In addition, before awarding a TLR1, the relevant body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people.

A teacher may not hold more than one permanent TLR of any value. A TLR is a payment integral to a post in the school’s staffing structure and may therefore only be held by two people when job-sharing that post.

|  |  |
| --- | --- |
| **Teaching and Learning Responsibility 1 Range 2019** | |
|  | **Annual Salary Range** |
| **England (excluding the London Area)** |
|  | **£** |
| Minimum | £8,069 |
| Maxima | £13,654 |

|  |  |
| --- | --- |
| **Teaching and Learning Responsibility 2 Range 2019** | |
|  | **Annual Salary Range** |
| **England (excluding the London Area)** |
|  | **£** |
| Minimum | £2,796 |
| Maxima | £6,829 |

The school recognises that there is no longer a requirement for differentiation in relation to TLR values however the school will use the following level values for TLR1 and 2 from September 2019.

|  |  |
| --- | --- |
| **TLR** | **VALUE** |
| TLR 2A | £2,796 |
| TLR 2B | £4,655 |
| TLR 2C | £6,829 |
| TLR 1A | £8,069 |
| TLR 1B | £9,927 |
| TLR 1C | £11,790 |
| TLR 1D | £13,654 |

Details of the TLRs awarded at the school will depend upon the outcome of the three yearly review of the staffing structure and the timing of the introduction will be in line with the implementation plan. The school’s staffing structure is made available to all staff and is attached to this document at Appendix 10.

**TLR 3**

The relevant body will award Fixed Term Teaching and Learning Responsibility payments (“TLR 3”) to a classroom teacher who is required to undertake a clearly time-limited school improvement project or one-off externally driven responsibility. The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term. Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

TLR3’s are not subject to safeguarding.

The annual value of a TLR3 payment must be no less than £555 and no greater than £2,757. Where TLRs are awarded to part-time teachers the payment will be paid on a pro-rata basis.

TLR3 payments will be determined on a case by case basis taking account of the additional responsibilities required of the teacher.

In this school the following roles have been identified as being in receipt of TLR 3 Payments;

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Post Title** | **TLR 3 Value** | **Project assigned** | **Start date** | **End date** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. **Recruitment and Retention Initiatives**

Payments for recruitment and retention purposes must be made under the recruitment and retention incentives and benefits provisions under the statutory guidance of the School Teachers Pay and Conditions document.

Where either a Recruitment and/or Retention payment is made the relevant body will conduct regular reviews of such payments, and will undertake a formal review of all payable allowances as part of the annual review of this Pay Policy.

The relevant body will write to staff receiving Recruitment and/or Retention Payments detailing;

* The value of such payments;
* The expected duration of such payments;
* The review date after which they may be withdrawn.

All Recruitment and Retention payments must be formally reviewed by the Personnel and Pay Implementation committee as a minimum every 12 months.

Payment decision

1. **Honoraria/Bonus**

In accordance with the School Teachers’ Pay and Conditions document it is illegal for the relevant body to pay any honoraria/bonus to any member of the teaching staff for carrying out their professional duties as a teacher.

1. **Special Educational Needs**

An SEN allowance of no less than £2,209 and no more than £4,359 per annum is payable to a classroom teacher subject to them meeting the criteria set out below:

1. in any SEN post that requires a mandatory SEN qualification and involves teaching pupils with SEN;
2. in a special school;
3. 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;
4. in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post –
5. involves a substantial element of working directly with children with special educational needs;
6. requires the exercise of a teacher’s professional skills and judgement in the teaching of children with special educational needs; and
7. 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.

Where a SEN allowance is to be paid, the relevant body must determine the spot value of the allowance, taking into account the structure of the school’s SEN provision and the following factors:

1. whether any mandatory qualifications are required for the post
2. the qualifications or expertise of the teacher relevant to the post; and
3. the relative demands of the post.

Where a teacher is in receipt of a SEN allowance awarded under an earlier Document, governors must:

1. determine whether the teacher remains entitled to a SEN allowance in accordance with the School Teachers’ Pay and Conditions document and
2. if so, determine the amount of that allowance in accordance with the document with effect from 1st September 2019.

The relevant body must set out in its pay policy, the arrangements for rewarding classroom teachers with SEN responsibilities.

1. **Payment for Continuing Professional Development (CPD) (Including INSET)**

The relevant body has the discretion to make additional payments to Teachers including the Headteacher in respect of continuing professional development undertaken outside the school day.

For full-time teachers, payments for CPD/INSET may only be made when undertaken outside a teacher’s directed time, that is, outside the 1265 hours on which a teacher is required to be available for specified work. This means that CPD/INSET after normal school hours, as ‘twilight’, may attract payment. This should be discussed with the teacher prior to agreements being reached for CPD/INSET.

Payments for CPD/INSET are intended to reduce the number of school days in which teachers would be away from the classroom attending courses.

Headteachers, Assistant Headteachers and Deputy Headteachers may receive payments for CPD/INSET undertaken on a Saturday or Sunday or during school holidays. All payments for CPD/INSET will be subject to income tax and national insurance contributions. All payments made under the document are pensionable.

Part-time teachers, may receive payments for CPD/INSET undertaken on a Saturday or Sunday or during school holidays.

Participation in CPD/INSET at weekends/holidays is therefore entirely voluntary. All payments for CPD/INSET will be subject to income tax and national insurance contributions. All payments made under the document are pensionable.

Payment for INSET to be made at the following rates:-

Payment decision

1. **Payment for Initial Teacher Training activities**

The relevant body has the discretion, to make additional payments to teachers including Leadership Group members for activities related to the provision of initial teacher training (ITT). Such payments may be made only in respect of ITT which is provided as an ordinary incident in the conduct of the school. Student teachers undertaking ITT are not eligible for such payments.

It is for the relevant body to determine an appropriate level of payment in respect of ITT activities in the light of the school’s circumstances, and in particular, the amount of money available to the school by virtue of its partnership with a higher education institution. Participation in ITT activities is entirely voluntary. All payments for ITT will be subject to income tax and national insurance contributions. All payments made under the document are pensionable. Payments to be made over a 195 days.

Payment decision

1. **Payment for Out of School Learning Activities**

The relevant body may decide to make a discretionary payment to members of the Leadership Team (inclusive of the Headteacher) and teachers participating in out of school activities. Involvement in an out of school hours activity is entirely voluntary and payment can only be made for substantial and regular commitment to an activity outside a teacher’s 1265 hours of directed time. Payment can therefore be made for activity at the weekends, school holidays and during the school week.

Teachers employed part-time are not eligible for these payments as they are not subject to teachers’ working time provision. However there is flexibility to make payments to part-time teachers by offering a separate contract of employment.

The level of the payment is for the relevant body to determine and the basis on which payments have been made to the employee concerned must be reviewed by the relevant body on a regular basis, at least annually. All payments for out-of-school learning activities will be subject to income tax and national insurance contributions. All payments made under the document are pensionable.

Payment for out-of-school learning activities to be made at the following rates including residential duties:

Payment decision

1. **Acting Allowance (Headteachers/Deputy Headteachers)**

In the absence of the Headteacher, any Deputy Headteacher can be required to assume all the professional duties of the Headteacher. Similar decisions must be made in relation to an acting Deputy Headteacher position. The relevant body may determine at any time, but must do so at least within 4 weeks, commencing on the day on which the member of staff acts up, as to whether or not the member of staff should be paid an allowance.

The relevant body are not required to pay the remuneration of the substantive post holder but may not pay lower than the minimum of the range appropriate to the school’s group size.

1. **Salary Sacrifice Arrangements**

The relevant body should ensure that any relevant information about such arrangements covered under the School Teachers’ Pay and Conditions document is passed on to teachers to enable them to freely decide on whether or not salary sacrifice is an appropriate option. Salary sacrifice arrangement means any arrangement under which the teacher gives up the right to receive part of the teacher’s gross salary in return for the employer’s agreement to provide a benefit-in-kind under any of the schemes they have access to e.g. Childcare Vouchers and a cycle or cyclist’s safety equipment scheme. The cycle or cyclist’s safety equipment scheme is administered through the Local Authority operational HR Team.

**11. PROVISION OF SERVICES TO OTHER SCHOOLS**

Where a Headteacher in one school is providing a service to another school, for example as a National Leader of Education (NLE), the person providing that service is not ultimately accountable for the outcomes in the school, but for the quality of the service being provided. The relevant body whose Headteacher is providing the service should determine how much, if any, additional payment is due to the individual concerned in line with the provisions of the Document and the school’s pay policy, for example where the contract requires work outside school sessions.

Consideration should be given to the remuneration of other teachers who as a result of the Headteacher’s additional role are taking on additional responsibilities and activities. This will be based on any additional responsibilities attached to the post (not the teacher), which should be recorded. Any increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the Headteacher’s enlarged role; it is not automatic, and should be in line with the provisions of the Document and the school’s pay policy.

Where the arrangement for the Headteacher is temporary, any adjustment to pay of other teachers is also temporary, and safeguarding provisions will not apply when the arrangements cease. The relevant body should consider the appropriate use of acting allowances and other temporary payments. Where there is a deputy Headteacher in the school, it may be more appropriate to temporarily increase his or her pay range to take account of the increased responsibilities in the absence of the Headteacher. Additionally a teacher may be temporarily appointed, in the absence of the substantive post holder, to a post in the staffing structure which attracts a TLR payment; and where none of those are appropriate, the relevant body can make use of additional payments at paragraph 26.1(d) of the School Teachers’ Pay and Conditions Document.

The relevant body may make such payments as it sees fit to a teacher, other than a headteacher, in respect additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools.

a) Any services provided by the member of staff of one school to another school must be authorised formally by the Governing Board and, where the work extends over more than a 12 month period, the agreement of the Governing Board must be formally reviewed annually or sooner if appropriate. The governing Board should also agree arrangements for terminating such work.

b) Before such work is undertaken, the Governing Board and the Headteacher must take into account:

• the needs of the school and its pupils;

• the benefits that the activity would bring to the school;

• the impact of any absence on other staff, including their workload; and

• the workload and work-life balance of all the individuals concerned.

c) In particular, before reaching a view the Governing Board should satisfy itself that these matters have been fully considered within the school’s leadership team.

d) Arrangements for payment for external work, including personal remuneration, must be clearly stated and formally incorporated into a protocol by the Governing Board (or the finance committee) and decisions duly minuted.

e) The Headteacher and Governing Board should monitor the operation of the arrangements and their impact on staff and pupils and take action where arrangements prove to be unsatisfactory.

f) The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the Governing Board. The terms of such an agreement must be set out in a memorandum signed by the Chair of Governors and the Headteacher and any other members of staff involved.

g) Any income derived from external sources for the work of a school’s staff should accrue to the school. The Governing Board should decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities and, if so, determine the appropriate amount.

h) The Governing Board should ensure that any expenses incurred by the individual as a result of taking on additional work are reimbursed, unless they are accounted for elsewhere.

Therefore, prior to reaching agreements for individuals, the Governing Board will call an extra-ordinary meeting or consider the above points at a relevant committee meeting to consider such individual circumstances as outlined in paragraphs a), b), d), f), and g) above are duly considered and formally minuted.

The relevant body may make such payments as it sees fit to a teacher, other than a headteacher, in respect additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards to one or more additional schools. Payment for the provision of services to other schools to be made at the following rates:

|  |
| --- |
| Payment decision  Headteacher:  Other staff: |

**11. QTLS STATUS**

Further education teachers who have been awarded QTLS by the Society for Education and Training (SET) previously the Institute for Learning (IFL), and hold membership of the Society for Education and Training are recognised as Qualified Teachers in schools.

They will continue to be recognised as qualified school teachers provided they remain a member of the SET and there is no requirement for them to apply for QTS status - a certificate from the SET is sufficient evidence or schools can contact the SET to check whether an individual holds QTLS.

QTLS holders will be able to teach both curriculum and non-curriculum subjects across all year group ages. Schools will need to determine that a teacher with QTLS has the necessary skills, experience and knowledge to teach a particular subject/age group.

QTLS holders will not be required to complete a statutory induction period, as they have already completed a period of teaching verified by the SET.

**12. TEACHERS QUALIFIED IN AUSTRALIA, CANADA, NEW ZEALAND AND THE USA**

Teachers who qualified in the above countries are recognised as qualified teachers and awarded QTS in England without being required to undertake any further training or assessment. In order to be awarded QTS status they will need to:

1. have successfully completed a course of initial teacher training which is recognised by the competent authority in one of the above-named countries and
2. have successfully completed or satisfied any additional conditions, including any period of professional experience (comparable to an induction period) required for permanent employment within a government school in one of the above-names countries.

The teacher will also need to satisfy UK Border Agency requirements to enter and remain in the UK to work as a teacher.

Candidates must apply to the Teaching Agency for award of QTS before they can be recognised as qualified teachers. They apply via the National College for Teaching and Leadership (NCTL) website and need to submit a letter from the recognised authority in their country of origin. The NCTL will issue the candidate with a letter confirming the award of QTS.

**13. PART TIME TEACHERS**

All contractual arrangements entered into must comply with The Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Part Time Workers (Prevention of Less Favourable Treatment) (Amendment) Regulations 2002, the Equality Act (2010) (in particular the requirement for reasonable adjustments to be made taking account of the individual’s specific needs) and the Sex Discrimination Act 1975.

Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part time. The relevant body will give them a written statement annually / or within one month of any change taking effect detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the school’s timetabled week for a full time teacher in an equivalent post.

Part-time teachers cannot be required to work or attend non-pupil days, or parts of days, on days they do not normally work, but it should be open to the teacher to attend by mutual agreement with the Headteacher.

The timetabled teaching week refers to school session hours that are timetabled for teaching, including PPA time and other non-contact time but excluding break times, registration and assemblies. The school’s timetabled teaching week of a full-time classroom teacher is to be used as the basis for calculating the pro-rata percentage of the school’s timetabled teaching week for which a part-time teacher is employed at the same school. This percentage is used to determine the pro-rata remuneration of a full-time equivalent teacher’s remuneration to which a part-time teacher is entitled. The percentage remains the same whether the school operates a weekly, fortnightly or any other timetable cycle.

**14. SALARY SAFEGUARDING**

In the event that the relevant body, following recommendations from the Headteacher makes changes to their pay policy or staffing structure which results in either;

* the duties for which a teacher was awarded a TLR1 or TLR2 are no longer to include the significant responsibility for which it was awarded; or
* the responsibility for which a teacher was awarded a TLR1 or TLR2 (whether or not this has changed) merits, in accordance with their pay policy and staffing structure, an allowance of a lower annual value (“the new payment”);
* the deletion or change of value of an SEN allowance.

The school will pay the safeguarded sum in accordance with provisions contained within the School Teachers’ Pay and Conditions document.

Where a safeguarded sum is payable the relevant body must notify the teacher in writing, within one month of taking the decision, of:

(a) the reason for the decision;

(b) the date on which the decision will take effect (if known);

(c) the value of the teacher’s salary (excluding allowances and any safeguarded sum) payable to the teacher before the said circumstance took effect (“the pre-safeguarding salary”);

(d) the value of any allowances to which the teacher was entitled before the said circumstance took effect;

(e) the safeguarded sum or (if not then known) such information as it is reasonably possible to provide in order to determine the maximum amount of the safeguarded sum;

(f) the date or, if applicable, the latest date on which the safeguarding period (as defined in paragraph 34) will end, or the circumstance which will result in payment of the safeguarded sum ending;

(g) where a copy of the school’s staffing structure and pay policy may be found in the school office.

The Teacher must be paid the safeguarded sum until-

1. the date on which the safeguarding period ends, being the third anniversary of the date on which a teacher commenced work in the new post;
2. the date on which the teacher is awarded a SEN allowance as a result of a subsequent decision by the relevant body that equals or exceeds the combined value of the new allowance (if any) and the safeguarded sum;
3. the teacher ceases to be a classroom teacher or their employment ends;
4. the teacher is awarded a TLR as a result of a subsequent decision by the relevant body that equals or exceeds the value of the safeguarded sum;
5. the teacher is placed on a higher salary and the combined value of that point and any allowances equals or exceeds the combined value of the original salary, the new allowance (if any) and the safeguarded sum; or

Payment of the safeguarded sum must be-

1. discontinued in the case where the teacher occupies a post-
2. as a member of the leadership group, including Lead Practitioner,
3. which attracts a TLR which is equal to or exceeds the value of the safeguarded sum, in the temporary absence of the post-holder.

If a teacher is in receipt of a safeguarded sum which exceeds £500, the relevant body must review the teacher’s assigned duties and allocate appropriate additional duties commensurate with the safeguarded sum. If the teacher unreasonably refuses to carry out the additional duties, payment of the safeguarded sum must cease, but the relevant body must tell the teacher that payment is going to cease at least one month in advance.

It is the relevant body’s responsibility to keep a note of the safeguarded sum or sums which the teacher is receiving, and if a point or points of higher value or allowances of higher value are awarded during the period of the safeguarding, to assess whether the increases are equal to or exceed the safeguarded sum or sums. If this is the case, then the relevant body must cease paying the sum or combination of sums equal to or less than the increase. If there is a choice of sums then the relevant body should always cease paying the smaller or smallest sums first. These additional duties cannot reflect the previous duties assigned.

Where the relevant body makes decisions regarding TLRs or changes in leadership group pay which result in safeguarding, then safeguarding ends on the third anniversary of the appropriate one of three set dates.

**Relevant dates on the third anniversary is as follows:**

1. In respect of a decision taken between 1 September and 31 December, the following 1 January;
2. In respect of a decision taken between 1 January and 31 March, the following 1 April; and
3. In respect of a decision taken between 1 April and 31 August, the following 1 September.

All TLR3 payments are not subject to safeguarding.

TLR1 and 2 payments awarded to Teachers employed under a fixed-term contract or whilst they occupy another post in the absence of a post-holder will not be safeguarded after the fixed-term contract expires or after the date or the substantive post holders return, whichever is the soonest.

****

management HANDBOOK

**APPENDIX 1**

**STRUCTURE OF THE TEACHERS’ PAY SYSTEM**

Leadership group pay

Min £41,065

**Leadership group Pay range**

Max £112,931

**Max for Head of multiple very large schools**

Classroom teachers’ allowances

Min £8,069

**TLR1**

Max £13,654

Classroom teachers’ pay ranges

Min £2,796

**TLR2**

Max £6,829

Min £41,267

**Leading Practitioner Pay Range**

Max £62,735

Min £555

**Fixed-term TLR3**

Max £2,757

Min £37,654

**Upper Pay Range**

Max £40,490

Min £24,373

**Main Pay Range**

Max £35,971

Min £2,209

**SEN allowance**

Max £4,359

Min £17,682

**Unqualified Teachers**

Max £27,965

**APPENDIX 2**

**PERSONNEL APPEALS PROCEDURE – PAY POLICY DECISIONS**

A member of staff who is unhappy with a decision arising from a recommendation made under the School Pay Policy, shall be entitled to present his/her case to the Personnel Appeals Committee once all informal discussions with the Appraiser have been exhausted.

A teacher may appeal in accordance with the procedure established by the relevant body against any determination of the Personnel and Pay Implementation Committee in relation to his/her pay or any other decision taken by it under this document that affects his/her pay, provided that the appeal procedure is followed.

The grounds for appeal are that the Personnel and Pay Implementation committee by whom the decision is made:

(a) incorrectly applied any provision of the School Teachers’ Pay and Conditions document or school’s pay policy

(b) failed to have proper regard for statutory guidance;

(c) failed to take proper account of relevant evidence;

(d) took account of irrelevant or inaccurate evidence;

(e) was biased; or

(f) otherwise unlawfully discriminated against the teacher.

**Process:**

1. The teacher receives written confirmation of the pay determination from the Personnel & Pay Implementation committee and where applicable the basis on which the decision was made.

2. Where the teacher is dissatisfied with the decision of the Personnel and Pay Implementation committee, he/she may follow a formal appeal process.

3. The teacher should set down in writing their grounds for appealing the pay decision alongside any documents to which it is intended to refer and send it to the clerk for the committee who made the determination. This must be within ten working days of the notification of the decision of the Personnel and Pay Implementation committee being received in writing.

4. The clerk should arrange a hearing to consider the appeal and give the teacher an opportunity to make representations in person. The employee will be entitled to be accompanied at any appeal by a Teacher Association Representative or work colleague. Also in attendance at the hearing will be the Chair of the Personnel & Pay Implementation committee and, as a witness, the Headteacher or appropriate member of the Senior Leadership Team who made the pay recommendation.

5. Any appeal should be heard by a panel of governors who were not involved in the original determination, normally within 21 calendar days of the receipt of the written appeal notification. The number of governors should be a minimum of two, ideally three, in accordance with your school’s Governing Board constitution.

**APPENDIX 3**

**SCHEDULE FOR APPEAL HEARING**

1. The Appeals Committee will not normally consist of less than 3 members of the school’s Governing Board (excluding any members of staff of the school). Where this is not reasonably practicable, the Appeals Committee may consist of two members (excluding members of staff of the school) who have not been part of the previous decision making process.

2. The employee must put their appeal (along with all documentary evidence in relation to the appeal) in writing and must fully and clearly set out the grounds of appeal as only these points will be considered in the appeal hearing.

3. The employee will be given a minimum of 14 calendar days’ advanced notice of the hearing; informed, by the clerk to the Appeals Committee of Governors, in writing, of the purpose of the hearing. The employee will also be supplied with copies of any documents to which the respondent intended to refer to and any witnesses to be called. The employee should be advised of the right to be accompanied at the hearing by a Trade Union representative or an official employed by a Trade Union or a work colleague of his/her choice, if he/she wishes, but by no-one else or they can submit their views in writing. A Trade Union representative who is not an employed official must have been certified by their Union as being competent to accompany a worker.

4. Not less than 7 calendar days in advance of the hearing the employee (or his/her representative) shall send to the Clerk of the Appeals Committee the names of any witnesses that he/she intends to call.

5. The Director of Children’s Services, or nominated representative, will be entitled to attend all meetings in community and controlled schools by right, and by written invitation in voluntary aided schools, in order to offer advice.

6. Appeals Procedure to be followed:

(i) Employee (or his/her representative) to put his/her case based on the grounds of appeal submitted.

(ii) Employee to call any witnesses.

(iii) Respondent to ask questions of the employee and witnesses.

(iv) The Appeals Committee to ask questions of the employee and witnesses.

(v) Employee witnesses to withdraw from proceedings, if applicable.

vi) Respondent to put his/her case in response to the grounds of appeal provided.

(vii) Respondent to call witnesses.

(viii) Employee (or his/her representative) to ask questions of the Respondent and witnesses.

(viiii) The Appeal Committee to ask questions of the Respondent and witnesses.

(x) Respondent witnesses to withdraw from proceedings, if applicable.

(xi) Employee (or his/her representative) to summarise their case.

(xii) Respondent to summarise their case.

(xi) All parties to withdraw whilst Appeals Committee deliberates.

7. The Chair of the Appeals Committee may adjourn the proceedings at any stage if this appears necessary or desirable. If adjourned for the purpose of enabling further information to be obtained, he/she will specify the nature of that information. Any adjournment will normally be for a stated period.

8. Following the summing up, both parties, together with their representatives will withdraw. If it is necessary to recall one of the parties for further information before a decision is taken, both parties shall be recalled. The Appeals Committee must consider any advice given by the Director of Children’s Services, or nominated representative in community and controlled schools by right, and by written invitation in voluntary aided schools, in order to offer advice. The Director or nominated representative shall remain during the Appeal Committee’s deliberations.

9. On completion of the Appeals Committee’s deliberations, the Chair will normally announce the decision. The Appeals Committee may uphold or disallow, or partially uphold the appeal. He/she will also give an explanation for that action and any recommendations as a result of the decision.

10. The decision of the Appeals Committee will be confirmed to all parties in writing. No further right of appeal will be available to the employee under this procedure.

11. The Appeals Committee will advise the Local Authority of the appeal hearing outcome and any appropriate action to be undertaken.

12. For the purpose of the hearing, the decision of the Chair of the Appeals Committee as to what matters are of relevance to the proceedings will be final.

The decision of the Appeal Committee will be final and shall not be subject to any further review under the relevant body’s staff grievance procedures. However, staff will retain the right to pursue complaints under the Equal Pay Act 1970, or of breach of contract, or of discrimination to an Employment Tribunal or through the County Court.

**APPENDIX 4**

**PAY APPEAL - MEETING INVITATION MODEL LETTER**

**PRIVATE & CONFIDENTIAL**

Dear

**PERSONNEL APPEAL COMMITTEE – HEARING INVITATION**

I am writing to invite you to attend a meeting on (Date) at (Time & Place) to discuss your appeal against the recommendation from the Headteacher/Personnel and Pay Implementation Committee.

The purpose of the meeting is to discuss your appeal for the following reason/s (insert reasons detailed within appeal letter).

Please find the enclosed documents submitted by the Management Representative which includes a copy of the order of proceedings, along with details of any management witnesses who will be in attendance. Additional copies of the documentation have been attached in order that you may pass them to your representative if you so wish.

If you wish to submit any documentary evidence to the appeal hearing, or request any witnesses attend the hearing, you are required to submit details for the attention of the Clerk to the Governors, c/o (name of contact) no less than 7 calendar days prior to the appeal hearing.

You are advised that you may, if you so wish, be accompanied by a Teacher Association representative or a work colleague but no one else

Please note that the decision of the Appeal Committee is final.

Yours sincerely

**PRIVATE & CONFIDENTIAL**

**APPENDIX 5**

Dear

**PERSONNEL APPEAL COMMITTEE – OUTCOME**

Further to the Personnel Appeal Committee meeting on (date of meeting) I confirm that the

committee has considered the reasons for your appeal.

The Personnel Appeal Committee decision is, that after careful consideration, they have determined to:

**Option 1 (delete as necessary)**

Uphold your appeal

**Option 2 (delete as necessary)**

Decline your appeal

The committee also made the following comments:

The decision of the Appeal Committee is final.

**APPENDIX 6**

**APPLICATION FOR PROGRESSION TO THE UPPER PAY RANGE**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **NAME** |  | | | |
| **DATE OF APPLICATION** |  | | | |
| **APPRAISAL CYCLE** | **From** |  | **To** |  |
| This application must be submitted by **[date to be determined by school].** This form should be used by teachers who wish to apply to progress from the Main Pay Range to the Upper Pay Range. | | | | |

|  |
| --- |
| **APPLICATION & DECISION PROCESS** |
| * Teachers may apply to be considered for progression to the upper pay range once per year in advance of their annual appraisal review. * Applications should be submitted to the Headteacher/Appraiser using this form in advance of their annual appraisal review. * A recommendation will be made following the end of the appraisal cycle for consideration by the Personnel and Pay Implementation Committee. * Applications will be considered by the Personnel and Pay Implementation Committee who will also be provided with a copy of the teacher’s Appraisal Review Statement which will include the Appraiser’s recommendation on progression. * Where a teacher has been assessed as meeting the standards, they will be appointed to the minimum of the Upper Pay Range. * If successful, pay awards will take effect from 1 September in the year following the application. |

|  |
| --- |
| **CRITERIA** |
| Note: The Personnel & Pay Implementation Committee will consider your assessment against the teachers’ standards relevant to your career stage as contained in your Appraisal Review Statement – please provide a copy of your Appraisal Review Statement as an appendix to your application. In this school, “highly competent”, “substantial” and “sustained” is defined within the Schools Pay Policy (page 13). |

|  |
| --- |
| **ACHIEVEMENTS AND CONTRIBUTION** |
| Please use a maximum of 1 page to provide a supporting statement describing in your own words and giving examples and supporting evidence of how you meet the application criteria. You are also advised to consider and reflect on the Teachers’ Standards. |

**Signed: Dated:**

**APPENDIX 7**

**SCHOOL TO INSERT A COPY OF THEIR STAFFING STRUCTURE**

**Copy of staffing structure attached.**

**APPENDIX 8**

EXAMPLE OF APPROACHES TO PAY PROGRESSION (FOR THOSE STAFF ELIGIBLE) BASED ON PERFORMANCE - ABSOLUTE PERFORMANCE MEASURES

In this school judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to (**insert here** any specific impacts the school may wish to take into account, e.g. impact on pupil progress; impact on wider outcomes for pupils; improvements in specific elements of practice, such as behaviour management or lesson planning; impact on effectiveness of teachers or other staff; wider contribution to the work of the school).

The rate of progression will be differentiated according to an individual teacher’s performance and will be on the basis of absolute criteria (it may be helpful to **indicate here** the size of individual pay progression increases that may result for each category,

e.g. an increment of 1 increment).

Teachers may be eligible for e.g. 1 increment (a lower level of increase if their performance has been assessed as “good\*”

**insert here** the level of performance that may lead to less rapid progress in a year – e.g. “they meet all their objectives, are assessed as meeting the relevant standards and all teaching is assessed as at least good\*”.

Teachers will be eligible for a pay increase of e.g. 2 increments if their performance has been assessed as “very good”.

**insert here** what the minimum expectations are for this level of increase – e.g. “they meet all their objectives, are assessed as fully meeting the relevant standards, show a commitment to improving their own performance as well as others and to continuing professional development, and all teaching is assessed as at least good with some teaching being assessed as outstanding”.

Teachers will be eligible for e.g. 3 increments (a higher level of increase) if their performance has been assessed as “outstanding\*” or “exceptional”.

**insert here** how the highest performing teachers will be able to make quicker progress up the pay range – e.g. the expectations will be that “they exceed all their objectives, are assessed as fully meeting the relevant standards, all of their teaching is assessed as outstanding, and they show a strong commitment to the school, prepared to go above and beyond the call of duty, when necessary, acting as an exemplar for others and showing a commitment to improving their own performance and to continuing professional development”.

|  |  |  |
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1. Pay Statement [↑](#footnote-ref-1)