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LEAD PERSON: Tony Rushworth – Head Teacher The Bicester School		
VERSION	REVIEWER/APPROVAL	REVIEW NOTES
1. 29.10.18	Leadership Group/Trust Board	New Policy

ALET TEACHERS PAY POLICY

Aims

This policy aims to:

- Clearly explain how we will determine teachers' pay and clearly explain how decisions will be made in our academies, following guidance from the STPCD (Where relevant to TUPE conditions only) and based on the teacher's performance
- Set out a clear framework for pay and progression throughout the school

Adopting this policy will:

- Support the recruitment and retention of high quality teachers
- Enable us to recognise and reward teachers for their contribution to the school
- Ensure that pay decisions are made in a fair and transparent way

This policy has been consulted on by staff and relevant trade unions.

Legislation and guidance

As an academy, we are free to determine our own approach to deciding teachers' pay. However, since some of our staff have a contract that specifically incorporates conditions from the School Teachers Pay and Conditions Document (STPCD(Where relevant to TUPE conditions only)), these will continue to apply due to the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006, which protect employees' terms and conditions when a maintained school becomes an academy.

As such, this policy complies with the STPCD (where relevant to TUPE conditions only). It is also based on the model pay policy created by the Department for Education (DfE).

This policy complies with our funding agreement and has been drawn up following consultation with recognized unions and associations

When implementing our pay policy, we will abide by:

- The [Employment Relations Act 1999](#), which establishes a number of statutory work rights
- The [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which require us to ensure part-time and fixed-term workers are treated fairly
- The [Equality Act 2010](#) which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it

Our procedures for addressing grievances in relation to pay are based on the ALET grievance policy.

3. Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the head teacher, unless otherwise stated. Head teacher also incorporates the Principle at a UTC.
- **Teaching and learning responsibility (also known as Leadership Responsibility in some schools)** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable.
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set.
- **Leadership group** comprises the head teacher, deputy head teacher and assistant head teacher.
- **Unqualified teachers including staff working towards QTS, overseas trained teachers and Instructors who are people with a particular skill, special qualification and/or experience**

4. Roles and responsibilities

The Head teacher/Principal/line managers will make recommendations on a teacher's pay following the teacher's appraisal.

Responsibility for making pay decisions is delegated to the pay committee of the Local Governing Committee for awards based on the Appraisal Policy and the Trust Pay Committee for 'cost of living' pay awards and ratified by the Trust board.

5. How we will decide pay on appointment

The Headteacher/Principal will determine the pay range for a vacancy prior to advertising it, for all staff except the SLT (Assistant Headteacher/Principal upwards), which will fall to the Local Governing Committee.

To determine the salary, a number of factors will be taken into account, including:

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions
- The wider school context
- Parity across ALET

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

6. How we will decide on pay progression

6.1 Annual reviews

All decisions about pay progression for teachers, senior leaders and Headteacher/Principals must be linked to performance

The governing board will ensure that each staff member's salary is reviewed annually between 1 September and 31 October, in alignment with our annual appraisal period.

Pay progression will be decided based on their performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the Local Governing Committee will take into account:

- The performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period. Our appraisal arrangements, including what evidence will support judgements, are set out in full in our appraisal policy.
- The pay recommendation made in the teacher's appraisal report
- Advice from the senior leadership team
- Any changes to the responsibilities and expectations of the teacher's role
- The wider school context, including the budget

When deciding pay progression based on performance, we will:

Allow progression as long as the following criteria has been met.

Teacher's classes have made good progress against their academic targets. (Allowances will be made for extraneous factors such as students' poor attendance, discipline issues etc)

Students' work has been marked and assessed by the teacher according to the Assessment/marking policy of the school;

Progress in students' books is in accord with the expectations set out in the Assessment/marking policy of the school.

For teachers and senior staff, including Head teachers/Principals with additional responsibility, a further objective, pertinent to their responsibilities and agreed with the relevant line manager, will be included.

The decision can be 'no pay progression' without triggering the capability policy.

This is set out below:

<i>Pay range</i>	<i>Standard progression</i>	<i>Enhanced progression</i>
<i>main</i>	<i>1 point</i>	<i>2 points</i>
<i>upper</i>	<i>1 point (2 successful appraisals)</i>	
<i>Lead Practitioner</i>	<i>1 point</i>	<i>2 points</i>
<i>Leadership</i>	<i>1 point</i>	<i>2 points</i>
<i>unqualified</i>	<i>1 point</i>	<i>2 points</i>

7. Moving to the Upper Pay Range (only available in the Comprehensive Schools)

7.1 Making applications

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy.

Applications can be made once a year. Applications must be submitted by 31st October.

Applications will be submitted in writing to line managers/the Head teacher and will be reviewed by line managers and a senior leader. All applications will be treated fairly and impartially.

When submitting an application, please include:

- Results of appraisals under the 2012 regulations, including recommendations on pay
- Where this information is not applicable or available, a statement and summary of evidence to demonstrate that you have met the assessment criteria

7.2 Assessment

In order to be eligible to be paid on the upper pay range, the Local Governing Committee must be satisfied that:

- The teacher is highly competent in all elements of the Teachers' Standards; and
- The teacher's achievements and contributions are substantial and sustained

For the purpose of this policy:

- **'Highly competent'** means:
Performance which is good enough to provide coaching, mentoring and advice to other teachers, 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'** means:
The teacher's contributions are 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'** means:
The teacher's contributions have been maintained over a long period

7.3 The decision

The assessment will be made and the applicant notified within 30 days.

The decision will be made by the Local Governing Committee who will seek input from the Head teacher who will also determine where the teacher will be placed on the upper pay range.

Considerations will include the nature of the post, the responsibilities it entails, and the qualifications and skills of the teacher.

If successful, applicants will move to the upper pay range from the 1st September.

If unsuccessful, feedback will be provided by line managers in a one-to-one meeting, within 5 working days of the decision notification. The line manager will set out why the application was unsuccessful, and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against decisions are covered by our staff grievance procedures.

8. Additional allowances (these are referred to as TLRs or Leadership Responsibilities)

Are available for post-holders holding responsibilities such as Head of department, Head of Year etc.

In addition,

- Teaching and learning responsibility (TLR or Leadership Responsibilities) payments can be made for:
- Special educational needs (SEN) allowances
- Where unqualified teachers take on a sustained additional responsibility or have qualifications and experiences which bring added value to the work being undertaken
- Where a teacher is 'acting up' and is assigned the duties of a school leader but is not appointed as a school leader
- Where a teacher is seconded

These allowances will be awarded in line with the STPCD (where relevant to TUPE conditions only, or the schools own pay scale for allowances).

9. Leadership pay

Schools in the Trust are able to pay senior staff and where appropriate, middle leaders, on the Leadership Pay Range

Such posts must clearly be identified in the leadership structure and a justification made to the Local Governing Committee as to why the staff member is to be paid on the Leadership Scale (as defined in the schools Pay Scales).

9. b) Headteacher/Principal's pay

1. The Trust and the governors will determine the pay range for the head teacher/Principal when they propose to make a new appointment or if there has been a significant change in the responsibilities of the head teacher, or at any time if they consider it necessary to review the range to retain a head teacher.
2. The relevant body will decide a range of seven pay points for the head teacher from the range of points available for the head teacher group of the school. The relevant body may also decide to pay on a Principal on a spot salary and agree a bonus award against pre-determined criteria.

10. Salary safeguarding arrangements

We will abide by the STPCD (where relevant to TUPE conditions only) and safeguard teacher's salaries if the post is revised or removed as a result of:

- Closure of the school or education establishment
- Organisational restructuring

Circumstances where higher pay is safeguarded include a removed or reduced:

- Teaching and learning responsibility (TLR) payment: TLR1 or TLR2
- Special educational needs (SEN) allowance
- Unqualified teacher's allowance
- Leadership pay range or leading practitioner pay range

We will follow the STPCD (where relevant to TUPE conditions only) applying and managing salary safeguarding.

11. Information to be included in pay statements

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

For all teachers, statements will include:

- Payments or other financial benefits awarded
- Any safeguarded sums
- Information on where the teacher can access a copy of the school's staffing structure and the ALET pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include:

- The basis on which the salary has been determined
- The criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include:

- The date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include:

- The teacher's position within the pay ranges
- The nature and value of any allowance received
- The value of any teaching and learning responsibility (TLR or Leadership Responsibility) payment awarded and details of what it was awarded for
- Where a TLR was awarded to cover a teacher's absence, the end date of circumstances in which it will end
- For TLR3s, the letter should also include a statement that the payment will not be safeguarded

Statements for unqualified teachers will also include:

- The teacher's position within the unqualified teachers' pay range
- The value of any unqualified teacher's allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded

12. Appealing a decision on pay progression

Where any teacher feels that a decision made over their pay is unfair, they have the right to appeal.

Teachers should attempt to resolve the matter informally at first, by speaking to the line manager and/or Head teacher/Principal.

If the teacher wishes to lodge a formal grievance, they should set out their reasons for appealing in a letter to the Chair of Governors within 7 working days of the pay statement being issued.

Reasons may include:

- The pay policy was incorrectly applied

- The decision contravenes the STPCD (where relevant to TUPE conditions only)/other relevant terms and conditions the teacher is employed under
- The decision contravenes equality legislation
- Relevant evidence was not taken into account
- The decision was biased

The rest of the grievance procedure is set out in our ALET grievance policy.

If the appeal is upheld, the Chair of the relevant Local Governing Committee will re-issue the pay statement with the correct information.

13. Support staff pay arrangements

See separate support staff policy

Support staff are employed on different terms and conditions from teachers. For example they can be paid overtime, employed in term time only etc.

Therefore, there is a separate policy for support staff which sets out pay arrangements.

14. Annual Pay Award

The Trust and School Local Governing Committee are firmly committed to salary benchmarking in line with local and national pay awards so that schools in the Trust remain attractive as a potential employer compared to other schools in the local and wider areas. Pay is an important factor in determining this.

The Trust will therefore take the following actions to ensure staff are remunerated appropriately in line with other employers in the profession and pay differentials are eliminated.

1. With respect to teaching staff and all support staff, each school in the Trust will automatically budget for a minimum of a 1% increase in pay per annum.
2. With respect to teachers and support staff, where a national pay award is made that is above the 1% budgeted for by the ALET school, the Trust will commit to matching the national award, providing the government undertakes to fund the pay award above the 1% budgeted for by the Trust.
3. In a financial year, where the government does not fund a pay award above 1%, and awarding the recommended pay award pushes the school into an in year deficit position, the School will be deemed to be in a state of arrears if its in-year costs exceed its in-year income. Where the school is in a state of arrears it can only award an unfunded pay award as long as it has an undertaking to balance its budget by the year end.
4. To prevent inequalities arising over time within the Trust and against other local schools, schools that are not able to meet the pay award in a financial year should do one of the following: a) reduce their overall staffing or non-staffing costs accordingly so they can match the award b) plan to redress the pay imbalance in the next possible financial year so that staff receive parity with other local and national schools.

In each financial year, all pay awards will run from September to August, for all staff, both teachers and supporting staff. Decisions about the pay award will be taken no later than 31st October and pay awards will be backdated to 1st September.

15. Monitoring arrangements

This policy will be reviewed bi-annually by HR and approved by the ALET Board.

The governing board will consider the outcomes and impact of the policy, including trends in progression across specific groups of teachers, to ensure it complies with equalities legislation.

16. Links with other policies

This policy links with our policies on:

- Staff Grievance procedures and policy
- School Appraisal policies (In addition, see section 6 of this document)

Appendices

Annex D – Upper Pay Range Application Process (for comprehensive schools only)

Notes for applicants

The process for applying to be paid on the upper pay range is set out in the School / Academy's Pay Policy

Eligibility

In order to be assessed you will need to hold Qualified Teacher Status on the date of your request. Any qualified teacher may apply to be paid on the upper pay range. It is your responsibility to decide whether or not you wish to apply to be paid on the upper pay range.

Timing of application

An application can be made at any point in the current academic year for payment on the upper pay range to be made from the following September.

An application can be made up to 31 October for consideration on the basis of performance in the previous two years and, if successful, payment on the upper pay range will be backdated to 1 September.

Note: Only one application can be made in any academic year.

Process

You must enclose copies of your Appraisal Reports and/or performance management planning and review statements that relate to the 2 years immediately prior to the date on which you submit your request.

Sign and date the form and pass it to your head teacher by 31 October. You should keep a copy for your records.

Assessment

An application will be successful where the relevant body is satisfied that:

- the teacher is highly competent in all elements of the Teachers' Standards (and/or other relevant standards);
- the teacher's Appraisal Reports and/or performance management reviews demonstrate that they have worked at the level of the Upper Pay Range Criteria for a sustained period during the two years preceding their application; and
- the teacher's achievements and contribution to the school are substantial and sustained.

The Upper Pay Range Criteria can be found in Annex E.

Assessment will be made by the head teacher within 10 working days of the receipt of the application or the conclusion of the appraisal process, whichever is later, a recommendation will be made to the Local Governing Committee of the relevant body and the outcome will be communicated to the teacher in writing.

If your application is unsuccessful you have a right of appeal. The appeal will be heard under the arrangements for pay appeals.

Notes for Head Teachers

Actions to be taken:

Check that the teacher is eligible to be assessed.

On the basis of the evidence contained in the appraisal reports and/or performance management records confirm that the teacher meets the Teachers' Standards.

If the Teachers' Standards are not met, assessment against the Upper Pay Range Criteria should not proceed. The head teacher must write to the teacher setting out the reasons for the judgement.

If the Teachers' Standards are met assess whether the teacher meets the Upper Pay Range Criteria set out in Annex E of the Pay Policy, having regard to the evidence contained in the appraisal reports and/or planning and review statements.

Make an overall judgement on whether the Upper Pay Range Criteria are met/not yet met.

Complete the head teacher's statement (see Part 2) and provide a copy to the teacher within 10 working days of the decision.

Inform the Local Governing Committee of the relevant body of the decision.

If the application is successful and the Local Governing Committee accepts the head teacher's recommendation, notify the school's payroll provider that the teacher should be paid on the upper pay range.

If the application is unsuccessful, the teacher has a right of appeal. The appeal will be heard under the arrangements for pay appeals.

Part 1 – Upper pay range application form

This form should be handled in confidence at all times

To be completed by the teacher		
Name:		
Please give details of previous employers if you are submitting appraisal reports or performance management statements from another school or academy		
Name and address of school / academy	Date(s) of employment	Name of head teacher
Declaration by the teacher I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or performance management statements covering the two year period prior to this request for assessment against the Teachers' Standards and the Upper Pay Range Criteria.		
Teacher's signature:		Date:

Part 2 – Upper pay range application - Head Teacher’s statement

Name of teacher:			
Teachers’ Standards			
Met		Not met	
<p><i>To be successful, the teacher must first meet the Teachers’ Standards. Assessment against the Upper Pay Range Criteria may not proceed where the teacher does not meet the Teachers’ Standards. If the Teacher’s Standards are not met you should provide a detailed explanation below why they have not been met.</i></p>			
Upper Pay Range Criteria			
Met		Not met	
<p><i>If, in your judgement, all the Upper Pay Range Criteria have not yet been met throughout the relevant period you should provide a detailed explanation in the box below why they have not been met.</i></p> <p><i>Please indicate any further areas of professional development for the teacher.</i></p>			
Teachers’ Standards / Upper Pay Range Criteria not met - explanation			
<p>You have the right to appeal this decision. If you wish to appeal you must follow the procedure set out in the Pay Policy. Note: you must take action within 10 working days of the notification of this decision.</p>			

Head teacher's signature:	Date:
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Annex E – Upper pay range criteria

Professional attributes

1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

Professional knowledge and understanding

2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.

2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.

2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

Professional skills

3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

3.3 Promote collaboration and work effectively as a team member.

3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

Annex F – Pay Policy Appeal Hearing

Procedure

Establish that the meeting is to hear a review or appeal against a decision taken under the Pay Policy.

All evidence submitted for consideration should have been circulated in advance.

(Chair to check that all involved have been provided with identical evidence).

Conduct of the Appeal

- (a) The Chair introduces those present.
- (b) The Chair invites the employee to identify areas of appeal.
- (c) The Chair invites the employer to ask questions of the employee.
- (d) The Chair invites members of the panel to ask questions of the employee.
- (e) The Chair invites the employer to respond to the case presented.
- (f) The Chair invites the employee to ask questions of the employer.
- (g) The Chair invites members of the panel to ask questions of the employer.
- (h) The Chair invites the employee to summarise the case.
- (i) The Chair invites the employer to summarise the case.
- (j) Both parties withdraw while the panel considers the evidence.

Pay Policy Appeal Panel Considerations

The Appeal Panel considers the evidence, decides whether the case is proven and whether the decision made is appropriate and if it is not what decision applies.

Panel Decision

The Chair communicates the decision of the Appeal Panel. A copy of the decision letter is sent to all involved within three working days.