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1. 29.10.18	Leadership Group/ALET Board	New Policy

PAY POLICY FOR SUPPORT STAFF IN SCHOOLS

Introduction

It is recommended that all schools should have a pay policy which sets out the basis on which they determine pay for support staff and procedures to address staff grievances in relation to pay.

This policy covers pay arrangements for all support staff in schools and has been drawn up in consultation with the recognised trade union. A separate model pay policy is available for teachers.

General principles underlying this policy

Schools can seek advice on the application of this policy from their HR Adviser.

Definitions

The term “relevant body” has been used throughout this policy, this refers to the ALET Trust Board.

Equality and Fairness

All procedures for determining pay should be consistent with the principles of public life – objectivity, openness and accountability.

The relevant body is committed to ensuring consistency of treatment and fairness and will abide by all relevant equality legislation including the Equality Act 2010, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

Delegation

Normal rules apply in respect of the delegation of functions by relevant bodies, head teachers/Principals

Monitoring and Evaluation

The relevant body and head teacher will monitor the operation and effectiveness of the Trust’s pay policy for support staff.

Background

1. This policy sets out the framework for determining pay for support staff. It has been developed to comply with current legislation and the requirements of the Local Government Services National Agreement on Pay and Conditions of Service (the “Green Book”).
2. Pay decisions at this school are made by the relevant body which has delegated certain responsibilities and decision making powers to the Pay Committee as set out in **Annex A**. The Pay Committee is responsible for the establishment and review of the Pay Policy for Support Staff, subject to approval of the relevant body, and has full authority to take pay decisions on behalf of the relevant body in accordance with this policy.
3. The relevant body should review the policy each year, or when other changes occur to the Green Book, to ensure that it reflects the latest position.
4. In determining pay levels for support staff, in accordance with the Job Evaluation Scheme, the relevant body should also ensure these are set in accordance with the school’s staffing structure.

Pay determination – Job Evaluation Scheme

5. The School Pay Committee will determine the job descriptions, pay and grading of support staff within the framework of grades used nationally, in accordance with its Job Evaluation Scheme.
6. The Green Book Job Evaluation Scheme ensures grades for jobs are decided objectively and fairly and must be applied to all Green Book staff. It is important to grade jobs appropriately to maintain morale among colleagues and to avoid unnecessary expenditure of school budgets, loss of valued employees and the risk of equal pay claims.
7. Job evaluation is undertaken by a Joint Moderation Panel appointed by The ALET Trust. It is a systematic process for defining the relative worth of jobs within an organisation. It is a rational way of comparing jobs of different sorts within the organisation. It does not compare jobs with other organisations. The demands of the job are assessed against thirteen factors. Each factor is assessed and assigned a level. The levels are given a score; the total score equates to the evaluated grade for the job.

Payment of Salary (including holiday entitlement)

8. Salary grades consist of three or four points. It is usual practice for a new employee to commence at the bottom point of the grade, moving incrementally each year, until the top of the grade is reached. Increments will occur in line with the Appraisal Policy, together with any annual inflationary award, where agreed.
9. Once the top of the grade is reached, progression ceases.
10. Salary for all Green Book employees is paid in arrears at the end of each calendar month and is divided into twelve equal monthly payments.
11. Term Time only employees are typically paid for 38 or 39 working weeks.¹

¹ 38 working weeks is equivalent to the 190 days that the school is open to pupils. 39 working weeks includes the additional 5 in-service training days

Employees can be appointed on contracts for term time only plus any specific number of additional working weeks.

12. For all term time only employees a pro rata annual leave entitlement is included within the pay calculation as set out in the contract. Annual leave entitlement depends upon length of service and salary grade. Statutory and contractual entitlement for annual leave is deemed to coincide with periods of school closure and is therefore considered to be taken during this time. There is no entitlement to take leave during term time.
13. If a term time only employee is due to leave employment on a Friday they will be paid until the Sunday. If an employee works until the end of a term (having worked the whole term) they will be paid until the notional end of the following holiday period e.g. 31st August.
14. Where a term-time employee leaves during a term rather than at the end of the term, either the employee or the school may request a calculation of time worked and salary paid taking into account start and leave dates where it is thought that there is a substantial imbalance and either salary paid/repaid or hours worked to rectify the imbalance.
15. Employees that work throughout the year must submit requests for annual leave in advance by following the school's procedures for requesting time off. Annual leave is normally expected to be taken during school holidays unless agreed in advance by the line manager. The annual leave year runs from 1st April to 31st March.
16. If a throughout the year employee is due to leave employment on a Friday they will be paid until the Sunday, however, there is no right to be paid until the notional holiday end date as for term time only staff.

Other Payments

17. **Extra Duties** - Support staff who undertake extra duties outside of their designated working hours are entitled to additional payments at the appropriate hourly rate. Enhanced overtime payments will only be made for any hours worked above the standard full time hours i.e. 37 hours. Any casual work or overtime must be approved by the head teacher or delegated representative **before** it is undertaken.
18. **Qualification Allowance** - A Qualification Allowance is payable to Teaching Assistants who are paid on Grade 4 (Grade 6 in special schools) and have an accepted qualification at Level 3 NVQ or equivalent or qualified teacher status. It may be paid on a discretionary basis to other staff as decided by the head teacher.
19. **Shift Allowance** - Employees, who are required to work a pattern of shifts, may be eligible to be paid a shift allowance. The allowance is calculated as 10% of scale point 6 on the National Green Book Pay Scale or as otherwise set out in the Green Book.
20. **First Aid** - Where the requirement to act as a qualified first aider is included in the job description, this will form part of the job evaluated grade and no additional payment will be made. Where the school seeks a volunteer to undertake these duties, in addition to their job description, an additional payment of £100 per annum will be paid. The level of training required to be eligible is the Health and Safety Executive approved First Aid at Work training.

21. **Recruitment and Retention Supplement** - where there is evidence of recruitment or retention difficulties for a particular job, and evidence that the evaluated grade is below the local market rate, a [recruitment and retention supplement](#) may be paid for a fixed period. An additional supplement of up to 20% of the job evaluated grade may be paid. Any supplement will only be agreed for a fixed period and will be subject to annual review. Clear evidence must be obtained to support the case for a market supplement such as local pay rates and evidence of attempts to recruit.

Pay Protection

22. Where a pay determination through job evaluation or redeployment leads to the start of a period of pay protection, the relevant body will give the required notification as soon as possible and no later than one month after the date of the determination.

Pay reviews and the right to appeal

Reviewing the job grade

23. It is recommended that job descriptions are reviewed annually as part of the employee's performance review or at other times where there are changes to the role. If there are significant changes to the duties of the job, a re-evaluation of the grade should be carried out through the Job Evaluation Scheme.
24. **Annex B** sets out the accepted grounds for seeking a re-evaluation of a job's grade, and the procedure that will be followed.
25. If an employee is not satisfied with the outcome of a grade review, they should raise this informally first with their head teacher.
26. If an employee remains dis-satisfied, after discussions with the head teacher, they may formally appeal to the Job Evaluation Moderation Panel in writing, within one month of being notified of the grading outcome. Further information about the appeal procedure is provided in **Annex B**.
27. For academies, the outcome from the moderation panel is purely advisory. The Job Evaluation Panel has no formal powers to grade posts in academies. In that context, any school employee who is dissatisfied with the assessment from the panel should pursue the matter within the governance arrangements of the academy or the Multi Academy Trust (MAT).

Other pay matters

28. Where an employee has a concern about their pay, that is not related to the evaluated grade, such as concern about an additional payment, they should raise this in the first instance with the head teacher.
29. Where the matter is related to a decision made by the School's Pay Committee, the employee may raise a formal appeal, in writing within 10 days of receiving the pay decision.
30. Employees must send their appeal to the head teacher in the first instance. The head teacher will arrange for the matter to be heard by a panel of the Pay Committee not previously involved in making the decision.
31. The employee will be given the right to make personal representations to the Pay

Committee and to be accompanied by a trade union representative or work colleague.

32. Annex C sets out the proceedings for a Pay Committee appeal hearing.

Monitoring the impact of the policy

33. The relevant body will monitor the outcomes and impact of this policy on a regular basis. The Pay Committee will prepare an annual written report on the operation of the pay policy for support staff, including trends in progression across specific groups of employees to assess its effect and the school's continued compliance with equalities legislation.

Annex A - Remit for the Pay Committee of the relevant body

The Pay Committee will comprise at least three governors. All governors, including those employed at the school, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions (including those relating to individuals), where their interest is no greater than that of the generality of employees at the school.

Establishment of the policy

The Pay Committee is responsible for establishing the Pay Policy for Support Staff and Teachers, in consultation with the head teacher, staff and trade union representatives, and submitting it to the relevant body for approval.

The relevant body is responsible for formal approval of the policy.

Monitoring and review of the policy

The Pay Committee is responsible for reviewing the policy annually and preparing a report to assess its effect and the school's continued compliance with equalities legislation.

The relevant body is responsible for considering an annual report on the outcomes and impact of the pay policy.

Application of the policy

The head teacher is responsible for:

- ensuring that pay recommendations for the Deputy and Assistant Headteacher(s), classroom teachers and support staff are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

- decisions regarding the pay of the Deputy and Assistant head teacher(s), classroom teachers and support staff following consideration of the recommendations of pay reviewers and the advice of the head teacher;
- decisions regarding the pay of the head teacher following consideration of the recommendations of the governors responsible for the head teacher's performance review;
- submitting reports of these decisions to the relevant body; and
- ensuring that the head teacher is informed of the outcome of the decision of the Pay Committee and of the right of appeal.

The relevant body is responsible for establishing an Appeals Committee to take decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

Summary of decisions in relation to specific pay provisions

The relevant body is the LGC Pay Committee.

The Pay Committee of the relevant body should review these provisions and record their decisions annually. Any award(s) should be communicated to the member of staff in writing.

Support Staff

Recruitment and Retention Supplements

The rules around payments are explained on page 6 of the Pay Policy

The relevant body will pay recruitment awards to [] of **[X percent]** for a maximum of three years in the following circumstances.

The relevant body will pay retention awards to [] of **[X percent]** for a maximum of three years. This may be extended for a further period where circumstances require.

[The relevant body should specify clearly here the basis on which such incentives may be paid e.g. after one/two advertisements have failed to produce a suitable candidate for appointment or to those with particular expertise as defined by the school]

Annex B – Job Evaluation Grading Review and Appeal Procedure

This procedure applies to all staff employed under the terms and conditions of the National Joint Council for Local Government Services (“The Green Book”). It may be used by individual employees or collectively by groups of Employees.

Background

The grades of all posts under the terms and conditions of the National Joint Council for Local Government Services (“The Green Book”) are determined by the National Joint Council Job Evaluation scheme. This is a systematic process for defining the relative size of jobs of different sorts and ensures employees are receiving equal pay for equivalent work. Each job is assessed from the point of view of 13 factors and each factor is assessed for the job and assigned a level. The assigned factor levels equate to the relevant grade.

All new posts must be job evaluated. School managers should refer new posts to the HR Advisor / Business Partner.

Grounds for Re-evaluation or Appeal

A post may be re-evaluated by the Job Evaluation Moderation Panel where one or more of the following grounds apply (Reasons A-C are set out in the Green Book Part 4.1, Section 6.4):

- a) The job evaluation scheme has been wrongly applied e.g. factor levels have been wrongly allocated, the evaluation panel has failed to follow guidance etc.
- b) The information given to the Moderation Panel was incomplete.
- c) It is believed that an equivalent job is graded more highly and paid more.
- d) Where it is claimed that there has been a substantial and significant change to the content of the job since its original evaluation.

An informal or formal appeal may be lodged if the employee remains dissatisfied after completing the appropriate level of the process.

Re-evaluation procedure

1. A post holder who wishes to request a re-evaluation of their post due to a substantial and significant change to their duties and responsibilities should firstly agree an updated job description and person specification with their line manager and head teacher.
2. The updated job description and person specification must be submitted (electronically where possible) together with a job evaluation request form and structure chart to the Group HR Team.
3. A review of the information will be carried out by the Group HR Team, meeting with the manager if appropriate before referring the details to the Job Evaluation Moderation Panel.
4. The post will be re-evaluated at the relevant Moderation Panel.

5. The outcome of the panel will be notified to the employee by the Group HR Team within two months of their initial request and a job overview will be provided on request. Where this timetable cannot be adhered to the appellant will be notified and reasons given.

Informal Appeal

1. Where there are grounds for appeal the post holder must notify Group HR within one month of the re-evaluation of their intent to appeal, unless there are exceptional circumstances.
2. If the manager/head teacher wishes to appeal the outcome, following the initial evaluation of a new post, the manager/head teacher must notify the Group HR Team within one month of the initial evaluation of their intent to appeal.
3. Further information must be provided stating where the post holder or manager feels the job overview does not adequately reflect the post. In some cases additional information regarding the post may be required.
4. The post will be re-moderated at the relevant Moderation Panel.
5. The outcome will normally be notified to the post holder/manager within two months of their appeal request. Where this timetable cannot be adhered to the appellant will be notified and reasons given. If changes are made an amended job overview will be provided.

Formal Appeal

1. After following the steps above, where a post holder/manager continues to believe that there are grounds for appeal they must notify the Job Evaluation Team within one month of the notification of the outcome of the informal appeal that they intend to formally appeal the decision, unless special circumstances apply.
2. Following a formal appeal request an acknowledgement letter will be sent to the appellant together with copies of the information submitted, the factor levels allocated by the Moderation Panel and a claimed factor level form.
3. The completed claimed factor level form and any further information the appellant wishes to submit must be received no later than one month after receipt of the acknowledgement letter unless extraordinary circumstances apply. Information submitted after this date cannot be considered by the appeal panel.
4. A date normally within three months of the acknowledgement letter will be set for the formal appeal and will be notified to the appellant. Where this timetable cannot be adhered to the appellant will be notified and reasons given.
5. The formal appeal panel is made up of the Group HR manager, a HR Business Partner from Activate Learning (other than that of the appellant) and a Trade Union representative. All panel members are trained in the job evaluation scheme.
6. There is no requirement for the appellant to attend the panel hearing but the panel may find it useful to ask questions of the appellant at the hearing. Appellants have the right to be represented by a Trade Union representative or colleague.

7. It is not necessary for an appeal to have managerial support but note will be taken of where an appellant has support from their line manager.
8. The Job Evaluation Management's response to the appeal will be added to the information submitted by the appellant to form the appeal pack. This will be sent to the panel members and the appellant at least five days before the appeal hearing.
9. Following the formal appeal panel the appellant will be notified of the outcome within ten working days.
10. The decision of the formal appeal panel is final.
11. Should the post be subject to substantial and significant changes in the future there will be grounds for re-evaluation. In such cases posts cannot return to formal appeal until they have been through the re-evaluation and informal appeal process (points 1 to 10 of this procedure).

Job Evaluation Formal Appeal Hearing

1. The Chairman invites the appellant to introduce his/her case statement and to make any relevant comment on the written observations of the management submission.
2. The Chairman invites the management representative(s) to address questions to the appellant on his/her submissions.
3. The Chairman invites the management representative(s) to introduce the management side's written observations and to make any relevant comment on the appellant's submissions.
4. The Chairman invites the appellant to address questions to the management's representative(s) on the management submissions.
5. The Chairman invites the members of the Committee to address questions to either party. The opportunity is given to either party to address to the Chairman any comment arising from the question or on the replies given.
6. The Chairman invites the management representative(s) to summarise the management case.
7. The Chairman invites the appellant to summarise his/her case.
8. When the case has been heard the Chairman will advise the appellant that full consideration will be given to the evidence and a decision will be communicated in writing at a later date.

Annex C – Pay Committee Appeal Hearing

Procedure

(a) Establish that the meeting is to hear an 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 Appeal 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.