

# The Orchard School



## Pay & Rewards Policy

Draft: January 2018

Ratified: January 2018

Review: January 2019

Chair of Governors:

Headteacher :

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# The Orchard School Pay and Reward Policy

## Section One: GENERAL POLICY STATEMENT

### 1.1 General Principles

This policy sets out the framework for making decisions regarding the pay and reward for all staff employed at this school.

The aims of this policy are to:

- maximise the quality of teaching and learning at the school
- support a culture of high performance for staff across the school.
- ensure the priorities and targets within the School Improvement Plan are fully supported
- support the recruitment and retention of a high quality workforce
- enable the school to recognise and reward all staff appropriately and fairly for their contribution and achievements
- ensure all decisions on pay and reward are managed in a fair, just and transparent way.

The Governing Body will undertake to:

- Reward all staff appropriately recognising their contribution to the school as individuals and as valued members of the school team
- Use the discretions and flexibility available within the various terms and conditions to recruit, reward and retain the highest quality staff according to the needs of the school
- Ensure that appropriate funding is allocated for performance pay progression for all groups of staff
- Ensure all staff are treated fairly and equitably under this policy
- Communicate this policy and related procedures to all staff ensuring that any appeal or other concerns are managed promptly, fairly and objectively
- Ensure compliance with the principles set down by the Committee on Standards in Public Life<sup>1</sup> and to maintain objectivity and transparency.

The Governing Body will need to consider appropriate pay relativities and differentials when conducting pay reviews and should be mindful of the public sector equality duty in this regard.

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<sup>1</sup> [http://www.public-standards.org.uk/Library/Seven\\_principles.doc](http://www.public-standards.org.uk/Library/Seven_principles.doc)

All pay and reward decisions should fairly reflect staff responsibilities, achievements and contributions throughout the school with regard to the relevant standards.

The Governing Body wishes to ensure that both promotion and development opportunities are widely available to all employees. The Governing Body will not promote staff through the grading system nor use other pay mechanisms to assist in securing an employee's improved pension entitlement on retirement.

The Governing Body will ensure that each member of staff has an up-to-date job description that accurately reflects the accountabilities of the post. All job descriptions will be reviewed annually as part of the school's performance appraisal process.

The Governing Body will make use of allowances, additional payments and other incentives permitted by the appropriate terms and conditions to reward all staff who undertaken additional responsibilities to a good standard of performance. This should be done through agreed personal and development plans.

## **1.2 Reference Documents**

In the operation of this policy the Governing Body will take such action to ensure compliance with all relevant employment legislation, statutory regulations and guidance documents and in particular the following:

- The Employment Rights Act 1996
- National Minimum Wage Act 1998
- National Minimum Wage (Amendment) Regulations 2012
- The Employment Relations Act 1999 and The Employment Act 2002,
- The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Employment Act 2002 (Dispute Resolution) Regulations
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Employment Act 2008`
- The Equality Act 2010
- EHRC Code of Practice on Equal Pay and Public Sector Equality Duty
- Agency Workers Regulations 2010
- The Education (School Teachers' Appraisal) (England) Regulations 2012
- School Teachers' Pay and Conditions Document 2013 and related regulations

## **1.3 National and Local Agreements**

The Governing Body will abide by the requirements of all relevant national and local agreements with particular reference to:

- School Teachers Pay and Conditions Document, including due regard to relevant guidance documents and accompanying circulars
- Conditions of Employment for School Teachers in England and Wales (the Burgundy Book)
- Kent Scheme Conditions of Service (the Blue Book) (*excluding pay provisions - if the school have not adopted Kent Range*)
- NJC for Local Government Services (the Green Book)

## **1.4 Review of School Structure**

The Governing Body will review the school's staffing and salary structure and any related allowances annually but may do so at any time according to the needs of the school. The Headteacher will lead on this process and will ensure there is full and proper consultation with all staff involved and all relevant recognised unions.

The Governing Body appreciates that changes to staff structures can be unsettling for staff causing concern and stress. Therefore the Headteacher must ensure that the process is conducted sensitively and fairly and ensure effective communication and appropriate treatment of staff is maintained throughout with proper consideration for the work-life balance of all involved.

Where changes to the Staffing Structure affect teachers' pay they will be issued with a revised salary statement together with details of safeguarding (where appropriate). Please see appendix 5 for Staffing Structure.

## **Section Two: FRAMEWORK FOR PAY DECISIONS**

### **2.1 Delegation**

The Governing Body is ultimately responsible for all pay decisions affecting staff in this school.

The Governing Body will establish a committee to make pay decisions as determined by the terms of reference as set out below.

All decisions relating to the pay for members of the Leadership team, including the Headteacher will be taken by a Committee of the Governing Body. See also Appendix 1.

### **2.2 Terms of Reference for the Pay Committee**

- (1) To ensure the achievement of all the pay policy objectives and principles in a fair, reasonable and equitable manner.
- (2) To undertake an annual pay review for all staff and reach decisions through the application of any relevant criteria measured by the School's performance appraisal process.
- (3) To consider fully all recommendations for pay progression and any other relevant information made available.
- (4) To ensure all members of staff are informed individually of the outcome of the annual pay review in writing within ten working days of the decision being made.
- (5) To observe all statutory and contractual obligations.
- (6) To recommend to the Governing Body changes to the policy and to consult with staff and recognised unions on those proposed changes.
- (7) To seek advice from the Local Authority where appropriate.
- (8) To maintain an accurate written record of all meetings and, having due regard to confidentiality, to report its decisions to the Governing Body.
- (9) To recommend to the Governing Body the annual budget for pay and to ensure that sources of external funding for pay are accessed to maximum effect.

Membership of the Pay Committee will not be open to anyone who could benefit financially, directly or indirectly from such membership or any of the decisions of the committee.

### **2.3 Annual Pay Review:**

The Governing Body, via the Finance & Resources Committee, will determine the budget to be set for pay, including pay progression for all staff.

An annual review of pay shall be conducted for all staff by the Finance & Resources Committee in accordance with this Policy and will comply with equal opportunities, employment legislation and any instructions or guidance from relevant bodies such as the DfE. Pay will be assessed on the same basis for full and part time staff.

All decisions made by the Finance & Resources Committee will take due account of the appraisal statement and all relevant information available from an appraisal or other review of an employee's skills, abilities, performance and any other factors deemed to be relevant, including any recommendation made by an employee's appraiser.

All decisions regarding pay progression for teachers, including the Leadership Group should be made without undue delay.

These should be completed prior to or on 31st October for teaching staff and prior to or on 31<sup>st</sup> December for the Head Teacher.

Pay progression for all teaching staff, including the Leadership Group, is normally with effect from 1<sup>st</sup> September unless determined otherwise within the discretions of this policy.

Decisions relating to support staff eligible for salary progression under the arrangements for TCP will be made in accordance with the following timescales. *Pay decisions will be made no later than 31<sup>st</sup> March and pay progression will be awarded with effect from 1<sup>st</sup> April each year.*

## **2.4 Notification to Staff**

The Chair of Governors will confirm, in writing any pay progression for the Headteacher. The Chair will also advise the school's Personnel provider of the decisions of the Pay Committee which have been ratified by the full Governing Body, including the group number of the school and the Headteacher's Individual School Range.

The Headteacher will be responsible for notifying all other members of staff individually, including the Leadership team in writing and informing the school's Personnel provider concerning decisions regarding any pay progression for this group of staff.

Notification to all qualified teachers will be given as a formal statement each year stating their salary and how it has been arrived at, as required by the appropriate STPC Document. All other staff should be given relevant and updated information, in writing regarding their salaries.

Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review and where applicable will give information on the basis on which it was made.

Further information/details regarding an individual's own pay can be obtained by a written request to the Headteacher.

## **2.5 Appeals**

Any member of staff may seek a review of any determination in relation to his/her pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects his/her pay. The arrangements and process for this are set out in Appendix 4.

## **2.6 Absence during the Pay Review Cycle**

Where an individual is absent, for example on maternity leave or long term sick leave, the pay decision may be deferred, with the agreement of the employee, until the employee's return to work to enable the individual to participate full in the pay review process.

Where an employee has had a significant period of absence during the pay review cycle a decision may be taken to award proportionate pay progression based on the evidence of their performance and contribution and the criteria for progression during the period they were at work.

Additionally support staff employed on Kent Scheme conditions will need to have sustained an aggregate attendance of 9 months in any one year (pro rata for term time only staff) to be eligible for a TCP award

*Guidance note: a school considering awarding partial or no pay progression for reasons of insufficient evidence due to significant absence should seek advice from their Personnel Advisory service to ensure decisions are not deemed to be unlawful discrimination*



## **Section Three: PAY AND REWARD FOR TEACHERS**

### **Qualified Classroom Teachers (Main Scale and Upper Pay Range)**

The Governing Body will ensure decisions on pay and reward are consistent with the provisions of the STPCD and take due account of any supplementary guidance issued by the DfE.

#### **3.1 Basic Pay Determination on Appointment**

The pay range for a vacant teaching post will be determined by the Headteacher/ Pay Committee prior to the post being advertised. The Headteacher will determine the starting salary within the range determined for the position at the point the job offer is made. In making such determinations the following factors will be taken into consideration:

- the nature and demands of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context including its ethos and principles

The school will give every regard to the current salary of a teacher appointed from another school. A teacher may be paid their current salary, however there is no assumption that a teacher will be paid at the same rate as they were in their previous school.

The salary ranges for the main, upper, unqualified, leading practitioner and Leadership pay ranges are set out in Appendix 2.

#### **3.2 Recruitment and Retention Incentives and Benefits**

The Governing Body may make an appropriate payment to a teacher (including the Head Teacher) as considered necessary and subject to the overall limit on discretionary payments as an incentive for the recruitment or retention of a teacher. The Governing Body will determine a policy statement that will set out the criteria for such awards.

The Governing Body may also award other financial assistance, support or benefits, including, for example travel costs, assistance with costs of care of dependants or other support where this may assist recruitment and/or retention of a teacher.

An incentive allowance, including other financial assistance, support or benefit made for the recruitment or retention of a teacher will be reviewed after a suitable period agreed with the teacher and this will be confirmed in writing in line with the School's policy.

All awards will be in line with the provisions of the STPCD and the School will ensure that due consideration will be given to the tax implications of any such benefits.

The Governing Body will review the level of payment of such individual awards on an annual basis.

#### **3.3 Special Needs Allowances**

The Governing Body will make appropriate payment of special needs allowances, which will be awarded according to the criteria in the STPCD.

### 3.4 Teaching and Learning Responsibility Payments

Teaching and Learning Responsibility Payments (TLRs) will be awarded to posts in the attached school staffing structure in accordance with the criterion, factors and other conditions as set out in the STPCD.

The number and nature of TLRs will be determined by consideration of the school's improvement plan and associated priorities whilst ensuring the school keeps within its agreed budget. The values of each level of TLR are set out below:

#### TLR Values – 2014

|    |        |
|----|--------|
| 1A | £9,195 |
| 1B | £7,471 |
| 2C | £4,310 |
| 2D | £2,587 |

Where a TLR is awarded on a temporary basis, for example to cover for maternity or sick leave the Governing Body will ensure the reason and length of that period is clearly set out in a revised pay statement

The School may award an individual TLR3 of between £505 to £2525 for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The Governing Body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3

### 3.5 Additional Payments

The Governing Body will use the discretion available to make appropriate additional payment to teachers, including the Headteacher in the following circumstances;

- a) undertaking continuing professional development outside the school day
- b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
- c) participation in out-of-school learning activities
- d) additional responsibilities and activities relating to the raising of educational standards in one or more additional schools

Payments to part-time teachers will be made through the existing mechanisms of supply/additional hours' payments up to full-time.

Agreement to participate in out of school hours learning activities will be documented to set out the work expected and the rate of payment.

### 3.6 Pay Progression Based on Performance

In this school all teachers will receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. These arrangements are set out in the school's appraisal policy. The school will ensure that appraisal reviewers have undertaken appropriate training.

*Guidance note: It is good practice to ensure teachers are alerted to the possibility that their performance may not merit pay progression where the evidence would seem to indicate this potential position. This should be done within the*

*appraisal process and at the earliest opportunity possible to ensure the teacher has the opportunity to remedy the position.*

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the key pay recommendations they contain. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

In the case of NQTs whose appraisal arrangements are different, pay decisions will be made with reference to the requirements of the statutory induction process.

To be fair and transparent, assessments of performance will be properly rooted in evidence. The Headteacher will ensure fairness by reviewing and moderating all pay decisions prior to confirmation, thus ensuring a consistent application and interpretation of criteria and evidence. Where differentiated or accelerated pay progression is awarded such decisions will be rooted in evidence and applied equitably.

Appendix 2 sets out the criteria for progression with common examples of evidence that can be used in supporting pay decisions.

The general expectation for a teacher to progress within the main pay range is evidence of consistently good teaching and learning. Pay reviews for teachers on the main pay range will normally be completed annually.

The general expectation for teachers on the upper pay range is that the evidence will demonstrate aspects of outstanding teaching and learning. Performance reviews for teachers on the upper pay range will be completed annually and this may include consideration of any possible future pay implications, however pay progression on the upper pay range will normally be awarded every two years subject to the evidence meeting the criteria.

All teachers should be able to demonstrate evidence of appropriate pupil progress in line with national standards. Other factors, including evidence of the Teacher's Professional Standards relevant to the criteria for the range may also be important in making sound pay decisions and this should be discussed as part of the appraisal process.

The evidence necessary for considering pay progression will usually be available through performance appraisal and other established management systems. *Guidance note: This should not necessitate a separate, formal application form or process.* In circumstances where evidence is not readily available the headteacher may request that the teacher provides this.

Where a teacher has joined the school part way through an appraisal cycle the pay decision will be based on the evidence from the teacher's time at the school. Additionally, the Headteacher may, if deemed appropriate, seek further evidence from the previous school in order to make a fair and justifiable pay decision.

All teachers' appraisals will contain a written report summarising the teacher's performance against objectives and teacher standards. This report will include a recommendation on pay progression. This recommendation will be made by the Headteacher.

Final decisions regarding the pay decision will be made by the Pay Review Group (PRG) for positions on the Leadership scale and by the Headteacher and PRG for all other teachers. All decisions will have due regard to the appraisal report including the recommendation and will take into account any advice from the senior leadership team of the school.

Where possible teachers will be notified of the outcome of their pay decision before 1<sup>st</sup> September but in all cases this will be completed before 31<sup>st</sup> October each year. Where pay progression is awarded this will take effect from 1<sup>st</sup> September and may be backdated should the pay decision not have been made by this date.

The Governing Body will consider its approach in the light of the school budget and ensure that appropriate funding is allocated for pay progression at all levels.

### **3.7 Movement to the Upper Pay Range.**

#### Applications and Evidence

All qualified teachers may apply to be paid on the upper pay range and any such application will be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

It is unlikely that the school will recommend progression to the upper pay spine for a teacher who has less than 4 years' experience.

A teacher can only submit one application for progression to the upper pay range in any school year unless there are exceptional circumstances.

All applications should include the results of the two most recent reviews or appraisals, including any recommendation on pay. A teacher may enclose any additional evidence to support their application. Where information from previous reviews is either not available or applicable the teacher may submit a statement and summary of evidence designed to demonstrate that the teacher meets the assessment criteria.

*In this school the deadline for submitting an application is the last day of the school year which is the 31<sup>st</sup> August.*

If a teacher is simultaneously employed at another school or schools they may submit separate applications if they wish to be paid on the upper pay range in that employment. This school will not be bound by any pay decision made by another school.

The Governing Body, via the Pay Committee will accept the Headteacher's assessment of eligible teachers against the national standards to enable them to move on to the upper pay range subject to prevailing national regulations.

Teachers who have had a break in service or a significant period of absence from work may submit additional evidence from a previous period if this is relevant to the assessment.

All applications must be submitted to the Headteacher using the school's Upper Pay range application form

#### The Assessment

An application from a qualified teacher will be successful where the Headteacher is satisfied that:

- a) the teacher is highly competent in all elements of the professional standards; and
- b) the teacher's achievements and contribution to the school are substantial and sustained

For the purposes of this policy the following terms are defined:

- **highly competent:** consistently good teaching and learning with some evidence of outstanding practice in a key area of the professional standards, evidence of being able to give advice and mentoring to others on effective teaching practice and how to make a wider contribution to the work of the school in order to help others meet the professional standards and develop their teaching practice

- **substantial:** of real importance, validity and value to the school; evidence the teacher plays a critical role in the life of the school; provides a role model for teaching and learning; makes a distinctive contribution to the raising of pupil standards; takes advantage of appropriate opportunities for professional development and uses the outcomes effectively to improve pupils' learning
- **sustained:** means sustained over the review period, normally two years or a significant part thereof

#### Processes and procedures

The application will be assessed against the above criteria and the teacher will be informed by the Headteacher in writing, within 15 working days *following receipt of application/following the deadline for receipt of the application.*

Where progression to the upper pay range is awarded this will take effect from the following 1<sup>st</sup> September (for applications made before 31<sup>st</sup> August) or backdated to 1<sup>st</sup> September (for applications made after 31<sup>st</sup> August but before 31<sup>st</sup> October)

In normal circumstances the teacher will move to the minimum salary of the upper pay range however there may be circumstances where it is considered appropriate to move the teacher to a higher value within the range. This decision will be made by the *Headteacher/Pay committee/Governing Body* and will be based on the following considerations:

- the nature and impact of the responsibilities undertaken by the teacher
- the level of qualifications, skills and experience demonstrated by the teacher
- the level of performance against the standards demonstrated by the teacher

However all decisions will be reviewed before confirmation to ensure the award is fair, consistent and fulfils the employers' legal duties with regard to equal opportunity and equal pay for equal value etc.

If unsuccessful, the teacher will receive feedback from the Headteacher *and this will be given as soon as possible but no later than 15 working days* of confirmation of the decision.

A teacher may appeal against a decision not to move the applicant to the upper pay range and this will be held in accordance with the school's procedures for hearing pay appeals.

### 3.8 Part time teachers

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 Governing Body will ensure the teacher is issued with a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full time teacher in an equivalent post.

### 3.9 Leading Practitioner Posts

The Governing Body will determine the need for a Leading Practitioner position in the school. Consideration will be given as to whether any current Advanced Skills Teachers in post within the school have the necessary skills and experience for such a role.

In the event a Leading Practitioner post is established this will be set out in the staffing structure of the school and appointment will be made in accordance with the school's recruitment procedure.

The pay range for Leading Practitioner appointments and criteria for pay determinations and progression are set out in Appendix 2.

### **3.10 Short Notice/Supply Teachers**

Teachers who work on a day-to-day or other short notice basis will have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount.

Any teacher engaged on a supply basis, where eligible will have their performance pay progression awarded on a proportionate basis in the same way as other teachers in the school who have been absent for a significant part of the pay period (see paragraph 2.6)

### **3.11 Unqualified Teachers**

#### *Pay on Appointment*

The Headteacher will determine where a newly appointed unqualified teacher will enter the range for unqualified teachers, having regard to any qualifications or experience s/he may have, which they consider to be of value.

The Headteacher may consider making an appropriate additional allowance where there are sound and justifiable grounds for so doing

Whilst regard will be given to the current salary of a teacher appointed from another school there is no assumption that a teacher will be paid at the same rate as they were in their previous school.

#### *Pay Progression*

In order to progress up the unqualified teacher range, unqualified teachers will need to show evidence of a successful appraisal with evidence of appropriate teaching and learning outcomes in line with national standards.

Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Finance & Resources committee will be able to objectively justify its decisions.

Appendix 2 sets out the criteria for progression with common examples of evidence that can be used in supporting pay decisions.

Where possible teachers will be notified of the outcome of their pay decision before 1<sup>st</sup> September but in all cases this will be completed before 31<sup>st</sup> October each year. Where pay progression is awarded this will take effect from 1<sup>st</sup> September and may be backdated should the pay decision not have been made by this date.

## **Section Four: PAY AND REWARD FOR SUPPORT STAFF**

### **4.1 Support Staff**

Support staff will be paid in accordance with the Kent Range pay framework.

The Governing Body recognises the value of job evaluation as a means of assessing the grade of a job in a fair and consistent way. This enables the school to fulfil its legislative and other employer obligations for equal pay for equal value as well as the need for a 'felt fair' grading structure.

The Governing Body will therefore use any benchmark job descriptions supplied by the school's Personnel Services provider and where appropriate the Hay Job evaluation scheme or other evaluation scheme recommended by its Personnel Provider in establishing or reviewing the grade for a job.

However, the Governing Body will operate within the NJC pay and conditions of service of Local Government Service for any staff who are employed under these terms and conditions.

In this event, manual staff on NJC conditions will be paid a single point within the national grade and honoraria payments will be considered to reward exceptional performance.

### **4.2 Pay Progression and Additional Awards**

The Governing Body will ensure that suitable arrangements are in place to assess the total contribution of all support staff and will use this assessment to determine annual pay decisions in accordance with Kent Range.

Appendix 3 of this policy sets out the criteria for progression with common examples of evidence that can be used in supporting pay decisions for support staff.

In usual circumstances the necessary evidence for pay progression will be available through the performance appraisal and other established management systems. In certain circumstances where evidence is not readily available the headteacher may request that the staff member provides this.

The school will also make appropriate use of any merit award or other reward system, both cash and non-cash developed by KCC to recognise the performance and contribution of support staff in a positive and flexible way. The school will ensure that any such decision is in accordance with the schemes' provisions.

### **4.3 Additional Considerations the grading of Support Staff posts**

Where a member of staff achieves a work-related qualification (for example as a HLTA) that entitles him/her to be paid at a higher grade for those duties the school will endeavour, where possible to engage the employee in the higher graded duties for the duration of their working hours in school rather than use a split contract arrangement.

Where a member of support staff holds two or more contracts at differing grades, for example HLTA and Teaching Assistant the school may consider paying the higher grade for all work undertaken if it can be reasonably held that the employee would be using their higher level skills consistently in all their roles.

#### **4.4 Payments for Additional Hours**

The Governing Body will make appropriate payments to Support Staff undertaking additional hours, for example attending INSET and Out of School Learning Activities in accordance with the relevant scheme of terms and conditions



## **Section Five: LEADERSHIP GROUP**

### **5.1 Leadership Group Pay**

The Governing Body will confirm the membership of the school's Leadership team and the salary scales will be determined by the Pay Committee for the leadership team, including the Headteacher taking into due account the respective level of responsibilities, recruitment and retention issues, internal differentials throughout the school and affordability. Only teaching staff can be paid on the Leadership Scale.

The Pay Committee will review the salary scales for members of the Leadership team as appropriate within the requirements of the Teachers' Pay and Conditions Document.

Pay reviews for Leadership posts will be normally undertaken by the Pay Committee on an annual basis as soon as possible after 1<sup>st</sup> September but no later than 31<sup>st</sup> December. Where pay progression is awarded this will take effect from 1<sup>st</sup> September and may be backdated where required.

Annual pay progression within the salary scale for a Leadership post is not automatic. The criteria and process for such decisions are set out in Appendix 2.

The Pay Committee may request information from the performance appraisal review process as well as evidence of performance in other relevant areas to inform its decision.

The Headteacher may advise the Pay Committee regarding the pay progression for other members of the Leadership team, but will do so in accordance with the regulations and statutory guidance.

The Pay Committee is entitled to seek the advice of other relevant professionals regarding the pay progression of the Headteacher.

## **Section Six: PAY AND REWARD ISSUES FOR ALL SCHOOL STAFF**

### **6.1 Non Cash Awards**

The school will consider the application of non-cash and other types of benefits to reward staff appropriately for their contributions to the school, as provided by KCC policy and/or national terms and conditions.

Generally such awards can be decided by the Headteacher. However decisions involving a significant budget implication should be referred to the Finance & Resources Committee.

The School will ensure that all non-cash awards are properly recorded in line with the requirements of Inland Revenue regulations.

### **6.2 Salary Safeguarding**

In circumstances where a teachers' salary is reduced through no fault of his/her own, including the removal of a TLR or the reduction a TLR value, then the school will safeguard the teacher's original salary. This will be on a cash sum basis for a period of up to three years in accordance with the STPCD. TLR 3 payments are exempt from any safeguarding arrangement.

The Governing Body will notify the teacher of the details of any such safeguarding at the earliest opportunity and in any event within one month of the decision being made.

In these circumstances the Headteacher may assign the teacher to undertake such reasonable duties to the value of the cash sum safeguarded taking due account of the teacher's skills and experience. If such duties are reasonably assigned and the teacher declines to undertake them then the teacher will be issued with one month's notice to terminate the salary safeguarding.

For all other staff the school will follow the relevant terms and conditions of employment for the safeguarding or protection of an employee's salary where it is reduced through no fault of the employee.

### **6.3 Acting Allowances**

The school will follow the terms of the STPCD for a teacher and the Kent Scheme for support staff in circumstances where a member of staff acts up to a more senior position. The salary and the period of the acting arrangement with any specific conditions will be confirmed in writing.

## **Section Seven: POLICY REVIEW**

The Governing Body will monitor the implementation, outcomes and impact of this policy annually in consultation with staff and recognised unions.

In particular the Governing Body will monitor the position with regard to part time staff to ensure that pay progression opportunities are equitable

Staff will be informed of any changes made to this policy at the earliest practicable opportunity.

## **Appendix 1: Procedures for Reaching Pay Decisions**

### ***Pay Decision by Committee of Governors***

*A Pay Committee of at least three governors will be convened to consider decisions regarding the pay and reward for staff of the school. The terms of reference for this committee are set out on page five.*

*The Agenda and paperwork for the Committee meeting must be distributed one week in advance unless the Chair of the Committee decides otherwise and that the principle of natural justice will not be compromised.*

*The employee must be informed of a date when a decision is to be made and given the opportunity to submit any additional evidence to be considered*

*All pay decisions must be properly rooted in evidence which must have been shared with the employee promptly at the time when the information became available.*

*The Committee will consider the appraisal statement and any recommendations of the Headteacher. The Headteacher is entitled to put forward the context and rationale for each recommendation and to advise the Committee on related issues.*

*The Headteacher is entitled to discuss the position with the employee prior to the Committee meeting. However, it must be emphasised that the decision is the responsibility of the Committee who may or may not accept a recommendation from the Headteacher or the relevant Appraiser*

*The Headteacher must withdraw whilst the Committee considers his/her pay position and also that of any Deputy or any Assistant Headteacher if it is felt it could influence the remuneration of the Headteacher.*

*The Committee is entitled to adjourn at any point if it is felt that further information is required. The Committee should reconvene at the earliest opportunity following this additional information being made available.*

*All decisions of the Committee must be properly recorded and retained. All decisions will be confirmed in writing within 10 working days of the decision being made, with details of the arrangements for any appeal.*

*The Headteacher, with the agreement of the Committee may communicate the decision verbally to the member of staff prior to written confirmation being issued. The employee may request a meeting to discuss the decision informally. This will not preclude the employee from exercising their right to appeal.*

### **Appendix 2: Criteria and Awards for performance-based progression for Teachers**

***Guidance note: This policy recommends an approach that uses reference points to give an indicator of the salary progression a teacher can normally expect to be awarded for meeting the expected criteria. Schools may use a different approach if this better reflects their values, culture and ethos but the structure adopted must provide a clear and attributable link between the pay and performance of a teacher.***

## Main Pay Range:

|  |   |        |
|--|---|--------|
| Minimum Pay Value  | 1 | 22,023 |
| NB: These values are reference points only and there may be circumstances in which the school is justified in paying a different value | 2 | 23,764 |
|  | 3 | 25,675 |
|  | 4 | 27,650 |
|  | 5 | 29,829 |
| Maximum Pay Value  | 6 | 32,187 |

## Criteria for Pay Progression

Teachers must be able to demonstrate sound evidence of consistently good teaching and learning. There will be good evidence across the professional standards including a clear and positive impact of CPD on practice. Pupil progress will be at least in line with national standards.

*Schools may specify further details of relevant criteria for eg*

- *An increasing positive impact on pupil progress*
- *An increasing impact on wider outcomes for pupils*
- *Improvement in specific elements of practice identified to the teacher*
- *An increasing contribution to the work of the school*
- *For teachers with line management responsibilities – an increasing impact on the effectiveness of staff and colleagues*

## Examples of Evidence

*Schools may set out examples of the range of evidence which will be considered*

- *assessment against the relevant standards*
- *performance objectives*
- *classroom observation*
- *other evidence*

Where the evidence confirms performance has met this criteria then the teacher would normally expect to progress to the next reference point.

## Upper Pay Range:

|  |   |        |
|--|---|--------|
| Minimum Pay Value  | 1 | 34,869 |
| NB: This value is a reference point only and there may be circumstances in which the school is justified in paying a different value | 2 | 36,161 |
|  | 3 | 37,496 |

### **Criteria for Pay Progression**

In order to progress within the upper pay range a teacher will need to demonstrate evidence that they have continued to meet the criteria for moving onto the upper pay range and they have further developed their practice with a greater depth and breadth of evidence against the professional standards

*Schools may specify further details of relevant criteria for progression eg evidence of a greater impact across the work of the school*

### **Examples of Evidence**

*Schools may set out examples of the range of evidence which will be considered*

- *assessment against the relevant standards*
- *performance objectives*
- *classroom observation (where relevant)*
- *other evidence*

### **Unqualified Range:**

|   |                                      |
|---|--------------------------------------|
| Minimum Pay Value   | 16,136                               |
| <div style="border: 1px solid black; padding: 5px; display: inline-block;">NB: These values are reference points only and there may be circumstances in which the school is justified in paying a different value</div> | 18,013<br>19,889<br>21,766<br>23,644 |
| Maximum Pay Value   | 25,520                               |

### **Criteria for Pay Progression**

Progression on the unqualified teacher range requires evidence to the same level as that expected for a teacher on the main pay range. Where an unqualified teacher is in receipt of an additional allowance that takes their salary above the maximum value of the main pay range (MPR) then the performance expectation will be in line with that expected for teachers on the upper pay range (UPR)

*Schools may specify further details of relevant criteria for progression eg*

- an improvement in teaching skills
- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher
- an increasing contribution to the work of the school

### **Examples of Evidence**

*Schools may set out examples of the range of evidence which will be considered*

- *assessment against the relevant standards*
- *performance objectives*
- *classroom observation (where relevant)*
- *other evidence*

### **Leadership Group:**

Those on the leadership spine play a critical role in the life of the school. They inspire confidence in those around them and work with others to create a shared strategic vision which motivates pupils and staff. They take the lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have the confidence and ability to make management and organisational decisions and ensure equity, access and entitlement to learning.

To achieve progression, the STPCD requires individuals on the leadership spine to have demonstrated sustained high quality of performance. To be fair and transparent, judgements must be properly rooted in evidence and there must have been a successful review of overall performance.

A successful performance appraisal review, as prescribed by the appraisal regulations, will involve a performance appraisal management process of:

- *assessment against the relevant standards*
- *performance objectives*
- *classroom observation (where relevant)*
- *other evidence*

To ensure that there has been high quality performance, the performance review will need to assess that the teacher has grown professionally by developing their leadership and (where relevant) teaching experience.

### **Appendix 3: Criteria and Awards for performance-based progression for Support Staff**

*This school has adopted Kent Range Pay Scales*

*(Please note schools have discretion to award different percentage pay awards for Total Contribution Pay to those determined by the Local Authority – and this should be stated clearly in the schools pay policy where a school intends to use this discretion*

*e.g. The school will determine locally the percentage pay award to be applied each year*

## **Appendix 4: Procedure for Considering Pay Appeals**

### **The Pay Appeals Committee**

#### *Setting up an Appeal Hearing*

The school will appoint a committee of at least three governors (and in any event the same number or more than the Pay Committee) to consider any pay appeal lodged by a member of staff that is in accordance with the following requirements.

Governors who may have a pecuniary interest or a conflict of interest or who have had prior involvement in the pay decision cannot be appointed to this committee or participate in any related monitoring process.

Within 10 working days of receipt of the written confirmation of the Pay Committee's decision an employee, who is dissatisfied with the decision, may register a formal appeal in writing to the clerk to the Governing Body.

The allowable grounds for appeal are that the person or committee by whom the pay decision was made -

- incorrectly applied any provision of the relevant national or local terms and conditions of service;
- failed to have proper regard for any applicable statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased;
- otherwise unlawfully discriminated against the employee

Prior to an appeal hearing the employee may also request an informal meeting with the Headteacher to discuss the decision and the reasons in more detail. In the case of the Headteacher being dissatisfied regarding his/her pay decision then an informal meeting with the Chair of the Committee should be arranged.

Upon receipt of the appeal notice the Clerk will convene an appropriate Appeals Committee within 20 working days of receipt of the appeal being registered. Appeal hearings will be held at a reasonable time during the working day with proper consideration of the work-life balance of all involved.

The Chair of the Pay Committee should discuss the position with the Headteacher before establishing the person who will be the school's presenting officer to the Appeal Committee.

The employee must submit to the Chair of the Appeal Committee any documentation in support of their appeal together with a summary of their case at least five clear working days prior to the Appeal Hearing.

If the school's presenting officer intends to rely on any evidence other than that considered at the Pay Committee's meeting then this must be submitted at least five clear working days in advance.

The Appeal Committee may decide to accept additional evidence at any time if it is deemed in the interests of a fair and transparent decision.



The employee is entitled to be represented at the Appeal Hearing by a workplace colleague or trade union/professional association representative.

### ***The Appeal Hearing***

At the Appeal Hearing the Chair of the Committee should introduce the meeting and the persons participating. The Chair should ask the employee to confirm the reasons for the appeal and establish that all parties are adequately prepared.

The Chair should remind the parties that the purpose is to reach a, reasonable and objective decision in an atmosphere that is professional and conducive to good employee relations within the school.

The employee, or representative should then be invited to set out his or her case and may support this with documentary evidence or witness evidence where this has been submitted as required above.

At an appropriate point the Chair will invite the school's representative to question or challenge any of the evidence presented. Members of the Committee will then have the opportunity to ask any questions.

The school's presenting officer will then be invited to set out the school's case and may also rely on documentary or witness evidence where this has been submitted as required above.

The employee or his/her representative may then question or challenge the school's evidence at an appropriate point as determined by the Chair. Members of the Committee may then ask any questions.

To conclude both parties will be invited, if they wish, to make final summary statements with the employee allowed the final say.

The Committee will then adjourn to consider the evidence presented.

The Committee should endeavour to reach a decision that day and to communicate this directly to the parties. However, where this is not possible because the Committee wishes to deliberate further or seek further information then the parties should be informed that the decision will be communicated in writing at the earliest opportunity.

In the event that there is an adjournment to enable the committee to consider professional advice on a particular matter then upon resumption all parties will be informed of the nature of the advice and the decision reached.

As an alternative to either upholding or dismissing an appeal the Committee is entitled to refer the matter for reassessment by the Headteacher or the initial Pay Committee. For example the Committee might wish the Headteacher to reconsider the position in the light of new information or to seek the advice of an additional independent advisor

### ***Communicating the Decision***

All decisions of the Appeals Committee must be confirmed in writing, within ten working days of the decision being made with a summary of the reasons and this will be the final stage in the Pay Appeal process. There will be no further stage in the appeal process.