

Cherry Lane Primary School Whole School Pay Policy

Adopted from The Schools HR Co-operative Model Policies and Procedures

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This policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation where appropriate.

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1. Scope

This Model Pay Policy ("the policy") applies to all employees in schools and academies; its provisions predominantly apply to teaching staff and to that extent, this policy seeks to reflect the School Teachers' Pay and Conditions Document (STPCD) which is updated each year following consultation with the teacher unions, employers and other relevant interested parties.

For support staff, the pay policy should reflect the provisions of the Green Book.

2. Policy Purpose

This policy explains:

- The school's adopted pay framework for Teachers
- The school's adopted pay framework for Support Staff
- The criteria which will be considered when making pay decisions
- The process by which pay determinations / decisions will be made.

This policy has been developed to enable pay decisions to be made in compliance with the following regulations and legislation as amended from time to time: the Education (School Teacher's Appraisal) (England) Regulations 2012 – ("the 2012 Regulations"), the Employment Rights Act 1996, the Employment Relations Act 1999, the Equality Act 2010, The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

This policy aims to be consistent with the principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

In adopting this policy, the aim is to:

- Maximise the quality of teaching and learning at the school
- Support the recruitment and retention of a high-quality teaching and support staff workforce
- Enable the school to recognise and reward staff appropriately for their contribution to the school
- Help to ensure that decisions on pay are managed in a fair, just and transparent way.

Pay decisions at this school are made by the Governing Board.

2.1 Teachers

The School Teachers' Pay and Conditions Document (STPCD) requires schools to have a pay policy which sets out the basis on which they determine teachers' annual pay review; and the procedures for determining appeals.

Schools must stay within the legal framework set out in the STPCD and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection).

The 2023 School Teachers' Pay and Conditions Document (referred to as "the 2023 Document" for the purposes of this policy) makes a number of changes to how teachers' pay will be determined from September 2023. It is suggested that schools consider their pay policy alongside their performance appraisal policy and cross-reference where that is helpful. Both pay and performance appraisal policies should make clear the school's compliance with equalities legislation and the requirements of the 2023 Document.

This policy has been developed to help Headteachers and Governing Boards ensure their pay policies reflect current legislation. It is based on the Department for Education's (DfE's) model policy which is non-statutory and sets out how the school determines the salary of its teachers and should be read in conjunction with the 2023 <u>School Teachers' Pay and Conditions Document</u> and the DfE document entitled "<u>Implementing Your School's Approach to Pay</u>" (where applicable for Academy Trust Boards).

2.2 Support Staff

The Governing Board recognise that the pay and conditions of employment for support staff will come from a number of sources:

- National Joint Council for Local Government Services (National Agreement on Pay & Conditions of Service);
- Local agreements and conditions of service agreed/negotiated by the Local Authority, including a framework for grading posts through a recognised job evaluation process;
- Terms and conditions of employment set by the Governing Board itself.

3. Determining Pay for Teachers

3.1 Pay Reviews

Cherry Lane will ensure that all Teachers Pay Reviews have been considered and implemented before the end of the Autumn Term.

The Governing Board will ensure:

- That each teacher's salary is reviewed annually with any changes taking effect from 1st September
- The review to support any decision on a change in salary will occur no later than 31st October
- That all teachers are given an annual written statement setting out their salary and any other financial benefits to which they are entitled.

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 about the basis on which it was made.

3.2 Basic Pay Determination on Appointment

The Governing Board will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.

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

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

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

3.3 Pay Progression based on Performance

In this school all teachers can expect to 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.

The arrangements for teacher appraisal are set out in the school's Performance Appraisal Policy.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of Early Career Teachers (ECTs), whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence while being proportionate to be able to support robust decisions. In this school we will ensure fairness by ensuring that objectives and assessments are consistent, including any arrangements for quality assurance and moderation.

The evidence we will use will include self-assessment, peer review, tracking pupil progress, lesson observations, the views of pupils and parents.

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Headteacher, having regard to the appraisal report and taking into account advice from the Senior Leadership Team. The Headteacher and Governing Board will consider its approach in light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels.

In this school, judgements of performance will be made against performance, set objectives and teaching standards and teachers will be eligible for pay progression if they meet all three criteria.

3.4 Teachers on the Main Pay Range

The school's Main Pay Range as agreed by The Governing Board is as given under Appendix A

Teachers on the Main Pay Range will be paid on a point in the above pay range as determined following an appropriate performance appraisal review.

The school have ensured that the pay range reflects the requirements of the 2023 Document in relation to the minimum and maximum salary amounts within the appropriate salary range.

3.5 Movement to the Upper Pay Range

The school's Upper Pay Range as agreed by the Governing Board is as given under Appendix A

The School's Upper Pay Range is set within the minimum and maximum of the Upper Pay Range set out in the 2023 Document (paragraph 14.1). The Governing Board have chosen to introduce the DFE Advisory Pay Points introduced in 2020.

The School have ensured that the pay range reflects the requirements of the 2023 Document in relation to the minimum and maximum salary amounts within the appropriate salary range.

All other pay points and the criteria which will determine incremental enhancement and/or salary enhancement will be for the school to decide.

There is no automatic provision for a teacher to "step down" from the Upper Pay Range, once they have been assessed at this level, if employed in the same school.

3.5.1 Applications and Evidence

Any qualified teacher may apply to be paid on the upper pay range and **any such application must 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.

Applications may be made only once a year and before the end of the Spring Term. Guidance may be found in the Moving to The Upper Pay Threshold Document.

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

Where a teacher is subject to the 2011 or 2012 Regulations, the relevant body shall have regard to the assessments and recommendations in the teachers' appraisal reports under these Regulations (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria should be submitted).

Applications should contain evidence that they have met the teaching standards criteria for Upper Pay.

3.5.2 The Assessment

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

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

For the purposes of this pay policy:

• 'highly competent' means performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice

• 'substantial' means 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 maintained continuously over a long period e.g. minimum 2-3 years

The application will be assessed robustly, transparently and equitably, by the teacher's line manager and SLT. If in agreement the Headteacher will make recommendation to the Governing Board to make the final determination.

3.5.3 Processes and Procedures

The assessment will be made by the end of the summer term.

If successful, applicants will move to the upper pay range from the start of the Academic Year.

If unsuccessful, feedback will be provided by the Headteacher.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the Teachers' Pay Appeals procedure – see Section 5 of this policy.

3.6 Leading Practitioners

The school has discretion to create posts for qualified teachers whose primary purpose is modelling and leading improvement of teaching skills.

Teachers on the pay range for leading practitioners must be an exemplar of teaching skills, lead the improvement of teaching skills in the school and carry out the professional responsibilities of a teacher other than a Headteacher, including those responsibilities delegated by the Headteacher.

A teacher on the pay range for leading practitioners must take a leadership role in developing, implementing, and evaluating policies and practice in the school that contribute to school improvement. This may include:

- a) Coaching, mentoring and induction of teachers, including trainees and ECTs
- b) Disseminating materials and advice on practice, research and continuing professional development provision
- c) Assessment and impact evaluation, including through demonstration lessons and classroom observation
- d) Helping teachers who are experiencing difficulties.

Where the school decides to appoint a leading practitioner, it will advertise the vacancy and appoint in the same way as for other vacancies, satisfying itself that the successful candidate can demonstrate excellence in teaching and will be able to contribute to leading the improvement of teaching skills.

When setting the individual post range for teachers on the pay range for leading practitioners, the Governing Board will have regard to the challenge and demands of the individual post and the school's pay structure.

Where the school creates more than one such post, the individual post ranges for each post will be determined separately and can differ to reflect the different demands and challenges of each post.

The Governing Board will determine a pay range on the leading practitioner pay range and will need to ensure that the pay range reflects the requirements of the 2023 Document in relation to the minimum and maximum salary amounts within the appropriate salary range as set out in the 2023 Document (paragraph 16.3).

The pay range will need to reflect an increase on the minimum and maximum of the range. All other pay points and the criteria which will determine incremental enhancement and/or salary enhancement will be for the school to decide.

3.7 Unqualified Teachers

The school's Unqualified Teachers Pay Range is found in Appendix A

The Governing Board has chosen to implement the DfE Advisory Pay Points and has ensured that the pay range reflects the requirements of the 2023 Document in relation to the minimum and maximum salary amounts within the appropriate salary range as set out in the 2023 Document (paragraph 17.1).

Unqualified teachers will be paid on a point within the above Range as determined by the Governing Board and subject to the appropriate performance appraisal process.

Upon obtaining qualified teacher status, an unqualified teacher will be transferred to a salary within the Main Pay Range which is the same or higher than the sum of salary paid on the Unqualified Teachers Pay Range.

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 Board will give them 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.

When calculating an individual's working week, please refer to 2023 Document, Section 3 (Part-time teachers' remuneration) for further guidance.

The salary of any pay allowances, except TLR3s for part-time staff, will be pro rata.

3.9 Short Notice/Supply Teachers

Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro-rata.

It is the school's responsibility to determine the pay point an individual teacher will be paid.

3.10 Leadership Group Pay

Refer to Part 2 of the <u>School Teachers' Pay and Conditions Document (STPCD) 2023</u>.

3.11 Allowances

3.11.1 Teaching and Learning Responsibility (TLR) Payments

The Governing Board can award a TLR1 or TLR2 to a classroom teacher for undertaking a sustained additional responsibility in the context of its staff structure to ensure the continued delivery of highquality teaching and learning and for which the teacher is made accountable.

The values of the TLRs to be awarded are set out below:

- TLR1 Range: £9,272 to £15,690
- TLR2 Range: £3,214 to £7,847
- A TLR3 will be awarded to a classroom teacher undertaking a clearly time-limited school improvement project or one-off externally driven responsibilities. The annual value of the TLR3 will be between £639 and £3,169.

The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term.

A teacher cannot be in receipt of a TLR1 and TLR2 at the same time; however, they can receive a TLR3 in addition to either TLR1 or TLR2.

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

- a) is focused on teaching and learning
- b) requires the exercise of a teacher's professional skills and judgement
- c) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum
- d) has an impact on the educational progress of pupils other than the teachers' assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

For payment of TLR1, the significant responsibilities must include line management responsibility for a significant number of staff.

Posts attracting the level of TLR1 or TLR2 will be identified in the school's staffing structure.

In establishing appropriate values for TLR allowances, the Governing Board will ensure that values chosen are properly positioned between the established minimum and maximum values.

TLR3s are not safeguarded and teachers in receipt of a TLR3 should be notified in writing at least one month prior to the end date of that TLR3.

3.11.2 Special Educational Needs (SEN) Allowance

A SEN allowance of no less than £2,539 and no more than £5,009 is payable to:

- In any SEN post that requires a mandatory qualification;
- To all classroom teachers whose main responsibility is to teach pupils in one or more designated SEN classes.

Where a SEN allowance is to be paid, the Governing Board will determine the spot value of the allowance, taking into account the structure of the school's SEN provision and following factors:

- a) Whether any mandatory qualifications are required for the post;
- b) The qualifications or expertise of the teacher relevant to the post; and
- c) The relative demands of the post.

SEN allowances can be held at the same time as TLRs. The Governing Board will, when keeping their staffing structures under review:

- a) Ensure that, in the light of remodelling and the move of administrative tasks from teachers to support staff, holders of SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff;
- b) Consider whether, if teachers have responsibilities that meet all the criteria for the award of TLR payments, it would be more appropriate to award a TLR payment instead of a SEN allowance of a lower value;
- c) Not continue to award new SEN payments solely for the purposes of recruitment and retention; and
- d) Ensure that any SEN responsibilities are clearly specified in individual teachers' job descriptions.

In establishing appropriate values for SEN allowances, the Governing Board will ensure that values chosen are properly positioned between the established minimum and maximum values. Differential values relating to SEN roles in the school will be established to properly reflect the significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

The teacher will be given written notification at the time of the award specifying the amount of the award and the reason for the award.

3.11.3 Allowances payable to Unqualified Teachers

The Governing Board may award an additional allowance to an unqualified teacher where it considers that, in the context of its staffing structure, the teacher has:

- a) Taken on a sustained additional responsibility which:
 - is focused on teaching and learning; and
 - requires the exercise of a teachers' professional skills and judgement; or
- b) Qualifications or experience which bring added value to the role being undertaken.

Unqualified teachers may not hold TLRs or SEN allowances.

3.11.4 Acting Allowance

Subject to the provisions set out in the 2023 Document, an acting allowance may be paid to a teacher who is assigned and carries out duties of a headteacher, deputy headteacher or assistant headteacher but has not been appointed as an acting headteacher, deputy headteacher or assistant headteacher.

3.11.5 Secondments – Performance Payments to Seconded Teachers

See paragraph 24.1 of the 2023 Document – where a teacher is temporarily seconded to a post as Headteacher in a school causing concern.

3.12 Additional Payments

The Governing Board may make such payment as it sees fit to a teacher, other than a headteacher, in respect of:

- a) Continuing professional development undertaken outside the school day;
- b) Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;

Teachers who undertake initial teacher training activities which are not seen as part of the ordinary running of the school will be given separate contracts of employment to cover areas of work that are not part of their substantive teaching job or contract of employment.

c) Out-of-school Learning Activities;

Teachers who agree to provide learning activities outside of the normal school hours will be entitled to a set additional payment.

Payment to classroom teachers will only be made in respect of activities undertaken outside of either the 1265 hours of directed time for full-time teachers; or the appropriate proportion of the 1265 hours of directed time for part-time teachers.

The related activities will require the exercise of the teacher's professional skills or judgement.

3.13 Recruitment and Retention Incentives and Benefits

The Governing Board will pay recruitment and retention awards as an incentive for the recruitment of new teachers and the retention of existing teachers. Incentives may, for example, include a cash sum, a percentage uplift of salary, or defined benefits such as childcare costs or health care provision.

In relation to all Leadership posts the 2023 Document states that recruitment and retention incentives should not be awarded other than as reimbursement as reasonably incurred housing or re-location costs. If this discretion has been applied in setting a pay range for recruitment purposes any further payment should not be made.

The Governing Board will determine the level of payment and the fixed-term duration over which the payment is to be made. These arrangements will be subject to regular formal reviews.

3.14 Salary Safeguarding

The Governing Board will operate salary safeguarding arrangements in line with the provisions of the 2023 Document.

3.15 Pay increases arising from changes to the 2023 Document

All teachers are paid in accordance with the statutory provisions of the 2023 Document as updated from time to time.

4. Determining Pay for Support Staff

The Governing Board, in conjunction with the Headteacher, will undertake an annual review of the pay and duties performed by support staff. If as a result of any review it is necessary to consider a change in the duties of any member of the support staff, consultation will take place with the member/s of staff concerned and Union representatives to ensure appropriate changes are made to job descriptions.

4.1 Pay Rates and Allowance

a) Increments

Where a performance linked incremental scheme is in operation, the starting salary and performance related increases to pay will be determined in accordance with that scheme.

OR

Where a performance linked incremental scheme does not apply and staff are employed on scales that permit annual incremental progression, increments are payable only within the grade range applicable to the post concerned unless otherwise stated in the employee's contract of employment or an authorised contractual variation. Increments will be reviewed on 1st April each year.

An increment may be withheld following an adverse performance appraisal report on an employee.

Increments may be accelerated at the discretion of the school on the grounds of special merit or ability as documented in one to one supervision meetings or at an appraisal subject to the maximum of the scale not being exceeded.

On appointment or promotion employees will normally be appointed to the minimum point of the grade.

Probationers will be judged on the progress they have made during their probationary period. The school may decide to pay a previously withheld increment if the employee's performance is deemed to have reached the required level within the following 12 month period with effect from a date determined by the school.

An employee who, for any reason other than the annual leave of an employee, is required to undertake the full duties of a higher graded employee for a continuous period is entitled to receive a higher salary in accordance with the Local Authority conditions of service or in accordance with locally agreed arrangements.

An employee may seek a review, through the school's Grievance Procedure, of any determination in relation to their pay or any other decision taken that affects their pay.

b) Overtime Payments

Overtime payment will be paid in accordance with locally agreed terms and conditions.

c) Part-Time and Term-Time Only Employees

Part-time and Term-Time Only employees should be paid within the salary scale for the post and paid proportionately with regard to the hours actually worked and additionally, in respect of term-time only staff, the number of weeks worked. Overtime rates where applicable would only be paid in respect of those hours worked over and above 36 hours in any week.

d) Value of Accommodation and Services

The school will assess and deduct from the salary of an employee the value of any accommodation and services that they provide in accordance with the contract of employment and associated conditions.

4.2 Job Evaluations

Employees are entitled to be paid the rate for the role provided that they are fulfilling the full duties and responsibilities of the grade. All non-teaching posts should have up to date job descriptions and person specifications and have been evaluated under a recognised job evaluation scheme.

Where an employee disputes the evaluated grade of the post they would need to progress this through the schools' Grievance Procedure.

5. Teachers' Pay Appeals

Teachers have the right to make representations and to appeal about any aspect of their pay or pay progression. The Pay Appeals process will be in line with the Pay Appeals procedure as detailed in the school's Performance Appraisal Policy for Teachers and the DfE's Pay Advice – <u>Implementing Your School's Approach to Pay</u>.

6. Over/Under Payments

Should an overpayment occur, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought about a reasonable repayment schedule.

Where an employee is due to leave employment the balance owing may be deducted from their final salary.

In the case of former employees, recovery of overpayments will be pursued.

In the case of underpayments, the Governing Board will apply appropriate refunds as soon as possible.

Employees are expected to draw to the attention of the Headteacher/School Business Manager any overpayment or underpayment as soon as possible.

The School will draw to the attention of an employee any overpayment or underpayment as soon as possible.

7. Monitoring the Impact of this Policy

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

8. Review of Policy & Consultation

Staff and the Trade Union Representatives will be consulted on any changes to the School's Pay Policy. It will be reviewed each year or when the other changes occur to the STPCD and/or changes to support staff pay and conditions of employment.

MAIN PAY RANGE (MPR)

	Outer London Area
M1 (MPR minimum)	£34,514
M2	£36,320
М3	£38,219
M4	£40,218
M5	£42,654
M6 (MPR maximum)	£46,001

TLR Payments		
TLR 1a	9,272	
TLR 1b	11,409	
TLR 1c	13,549	
TLR 1d	15,690	
TLR 2 a	3,214	
TLR 2 b	5,349	
TLR 2c	7,847	
TLR 3 (Min)	639	
TLR 3 (Max)	3,169	
SEN Allowances		
SEN (Min)	2,539	
SEN (Max)	5,009	
Unqualified Teachers		
1	24,415	
2	26,779	
3	29,141	
4	31,229	
5	33,590	

UPPER PAY RANGE (UPR)

	Outer London Area
UPS1 (UPR minimum)	£47,592
UPS2	£49,353
UPS3 (UPR maximum)	£51,179

6	35,954	
Leading Practitioner Range		
1	51,179	
2	52,369	
3	53,577	
4	54,825	
5	56,097	
6	57,404	
7	58,852	
8	60,122	
9	61,526	
10	63,013	
11	64,544	
12	65,593	
13	67,510	
14	69,089	
15	70,714	
16	72,499	
17	74,080	
18	75,850	
Leadership Pay scale		
1	50,929	
2	52,113	
3	53,314	
4	54,555	
5	55,822	
6	57,124	
7	58,565	
8	59,826	
9	61,225	
10	62,703	
11	64,229	
12	65,629	
13	67,178	
14	68,749	
15	70,368	
16	72,144	
17	73,718	
18	75 179	
18	75,478	
20	77,258 79,076	
20	19,010	

21	80,944	
22	82,852	
23	84,812	
24	86,826	
25	88,890	
26	90,995	
27	92,234	
28	95,377	
29	97,642	
30	99,980	
31	102,364	
32	104,808	
33	107,325	
34	109,884	
35	112,519	
36	115,210	
37	117,987	
38	120,813	
39	123,662	
40	126,661	
41	129,729	
42	42 132,881	
43	134,765	

HEADTEACHER GROUPS AND PAY RANGES

	Rest of England	Inner London Area	Outer London Area	Fringe Area
Group 1	£53,380 – £71,019	£62,304 – £79,856	£57,124 – £74,730	£54,685 – £72,311
Group 2	£56,082 – £76,430	£65,007 – £85,267	£59,826 – £80,142	£57,383 – £77,730
Group 3	£60,488– £82,258	£69,407 – £91,095	£64,229 – £85,965	£61,789 – £83,554
Group 4	£65,010 – £88,530	£73,933 – £97,359	£68,749 – £92,234	£66,316 – £89,818
Group 5	£71,729 – £97,639	£80,655 – £106,476	£75,478 – £101,350	£73,034 – £98,935
Group 6	£77,195 – £107,700	£86,119 – £116,535	£80,944 – £111,406	£78,507 – £108,995
Group 7	£83,081 – £118,732	£92,007 – £127,564	£86,826 – £122,437	£84,391 – £120,021
Group 8	£91,633 – £131,056	£100,552 – £139,891	£95,377 – £134,765	£92,933 – £132,352