

# **Pay Policy for Centrally Employed Teachers**

Introduced	September 2013
Revised	October 2020
Consulted recognised Trade Unions on revisions	28 September – 2 October 2020

## 1. Introduction

This policy only applies to teachers whose statutory pay and conditions of service fall under the terms of the School Teachers Pay and Conditions Document (STPCD). It does not cover other employees who have their own pay determination mechanism.

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) 2020 and has been consulted on with staff and/or the recognised trade unions.

The Local Authority (LA), when taking pay decisions, will have regard to both this policy and the teacher's particular post in the service structure.

This document applies the STRB 30<sup>th</sup> report recommendations as follows:

- The minimum of the main pay range is uplifted by 5.5%; the maximum of the main pay range is uplifted by 2.75%.
- 2.75% uplift to the minimum and maximum of the upper pay range (UPR), and the leading practitioner pay range
- 2.75% uplift to the minimum and maximum of the leadership group pay range and all headteacher group pay ranges; and,
- 2.75% uplift to the minimum and maximum of the Teaching and Learning Responsibility (TLR) and Special Educational Needs (SEN) allowance ranges
- Discretionary Advisory Pay Points have been included in STPCD – these are not mandatory and schools should continue to base pay progression on performance.

The LA has applied the relevant pay award to **all** spinal points within the pay and allowance ranges and we have adopted the Advisory Pay Points set out in STPCD Appendix 3

All other pay-related and performance related decisions are made taking full account of the:

- relevant challenge, accountability and responsibility of the organisation and role
- skills and relevant competencies/experience
- service improvement plan
- appraisal process for leadership and teachers
- LA finances

The appropriate Director/Service Delivery Manager will take decisions on pay as set out in this policy.

## 2. Pay reviews

The Director/Service Delivery Manager will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled.

Salary awards as part of this review process will be with effect from 1<sup>st</sup> September.

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.

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

## 3. Basic pay determination on appointment

The LA 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 LA may take into account a range of factors, including:

- The relevant challenge, accountability and responsibility of the role*
- The level of qualification, relevant skills, experience and competencies*
- Market conditions*
- The wider organisational context and strategic priorities*

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

## 4. Leadership Group pay

The LA will determine the salary ranges for those employed on the leadership pay scale in line with the pay range for the Leadership Group as stated at para 4.4 (STPCD) and in accordance with the determination in paragraphs 9.2-9.4 (STPCD).

### Pay range for the Headteacher

The LA will assign a headteacher group for the purposes of pay progression as per STPCD paragraph 11 and in accordance with paragraphs 5, 6, 7 and 8.

The LA will determine a pay range in accordance with paragraphs 9.2-9.4.

The LA will take into account all of the permanent responsibilities of the role, any challenges that are specific to the role and other relevant considerations.

For new appointments, the LA may use their flexibility of amending the pay range to take into account the close nature by which the candidate meets the requirements of the post.

The LA will ensure that there is appropriate scope within the range to allow for performance related progression over time

Pay ranges should not normally exceed the maximum of the head teacher group.

However, the head teachers pay range **may** exceed the maximum where the LA determines that circumstances specific to the role or candidate warrant a higher than normal payment.

Where the LA determines a pay range which exceeds that maximum, it will only exceed the maximum by 25% of the head teacher group.

**Only in exceptional circumstances and where supported by a business case**, may the LA consider a head teacher range in excess of maximum plus 25%.

### **Temporary Payments to the Headteacher (STPCD paragraph 10)**

In accordance with STPCD paragraph 10.2 the LA may determine that additional payments be made to a headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined.

The total sum of the discretionary payments in any school year will not exceed the 25% of the annual salary which is otherwise payable to the head teacher.

The total sum of the salary and other payments will not exceed 25% above the head teacher group.

The above does not apply to additional payments in accordance with:

- a) STPCD paragraph 25 where those residential duties are a requirement of the post or
- b) STPCD paragraph 27 other than as reimbursement of reasonably incurred housing or relocation costs which relate solely to the personal circumstances of that head teacher, deputy or assistant head teacher

Only in wholly exceptional circumstances may the LA determine additional payments which exceed the limits stipulated above. The LA will seek external independent advice before providing such agreement.

### **Pay Range for Deputy or Assistant Headteachers**

The LA will determine the pay range for deputy and assistant headteachers in the same way as headteachers in accordance with paragraph 9.2-9.4.

The maximum of the deputy or assistant headteachers range must not exceed the maximum of the headteacher group.

The pay range for a deputy or assistant headteacher should only overlap the headteacher's pay range in exceptional circumstances.

### **Pay Range for Lead Practitioner**

This post has a primary purpose of modelling and leading improvement of teaching skills.

The LA will determine a pay range in accordance with STPCD paragraph 16 which takes into account the challenge and demands of the individual post in accordance with the overall pay range.

Where more than one such post is created, the salary for each post will be determined separately as above.

The range for such post will be set between £41,267 and £62,735

Progression will be based on performance reviewed in line with the LA Appraisal Policy for Centrally Employed Teachers.

## **5. Upper Pay Range**

Applications to the upper pay range are covered later in this document.

Teachers paid on the upper pay range will have a salary between £38,690 and £41,604 in accordance with STPCD paragraph 14.

The LA have determined salary range points of:

U1 - £38,690

U2 - £40,124

U3 - £41,604

Successful applicants to the upper pay range will be paid at the bottom of the scale.

## **6. Main Pay Range**

Teachers paid on the main pay range will have a salary between £25,714 and £ 36,961 in accordance with STPCD paragraph 13.

The LA have determined salary range points of:

M1 - £25,714

M2 - £27,600

M3 - £29,664

M4 - £31,778

M5 - £34,100

M6 - £36,961

To move up the main pay range, one annual point at a time, teachers will need to have had a successful appraisal and have shown that they are competent in all elements of the Teachers' Standards. Teaching should be consistently 'good', as defined by the standards used by Ofsted.

If the evidence shows that a teacher demonstrates exceptional performance, the LA may consider the use of its flexibilities to award enhanced pay progression, by awarding a further move up the scale by one further point until/unless the maximum of that scale has been reached. In order to achieve this, teaching should be 'outstanding', as defined by the standards used by Ofsted.

## **7. Newly Qualified Teachers (NQTs)**

Newly qualified teachers will be appointed to the bottom of the main pay range on appointment for induction.

NQTs have no automatic entitlement to pay progression on completion of induction. However, like other teachers, NQTs will have their pay determined annually and evidence from the induction process will inform decisions regarding pay.

## **8. Unqualified Teachers**

Unqualified teachers paid on the pay range for unqualified teachers will have a salary between £18,169 and £28,735 in accordance with STPCD paragraph 17.

The LA have determined salary range points of:

UQ1 - £18,169

UQ2 - £20,282

UQ3 - £22,394

UQ4 - £24,507

UQ5 - £26,622

UQ6 - £28,735

To move up the pay range, one annual point at a time, unqualified teachers will need to have had a successful appraisal and have shown that they are competent in all elements of the Teachers' Standards. Teaching should be consistently 'good', as defined by the standards used by Ofsted.

If the evidence shows that an unqualified teacher demonstrates exceptional performance, the LA may consider the use of its flexibilities to award enhanced pay progression, by awarding a further move up the scale by one further point until/unless the maximum of that scale has been reached. In order to achieve this, teaching should be 'outstanding', as defined by the standards used by Ofsted.

## **9. Pay Progression based on Performance**

In accordance with STPCD paragraph 11 and 19, the LA will consider annually whether or not to increase the salary of teaching staff who have completed a year of employment since the previous pay determination and if so, what salary within the relevant pay ranges set.

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 LA Appraisal Policy for centrally employed teachers which is in line with the Education (School Teachers' Appraisal) (England) Regulations 2012.

A fair and transparent assessment process is in place that ensures decisions are based on evidence.

The evidence we will use may include but is not limited to appraisals, peer review, pupil tracking, lesson observations, the views of pupils & parents.

**Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain.**

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Service Delivery Manager/ Director, having regard to the appraisal report and taking into account advice from the appraiser.

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

Judgements of performance will be made in relation to appraisal outcomes, meeting objectives and teacher standards. Movement up the ranges will be by one point each year on the successful completion of the appraisal process up to the maximum of the range. Where there has been exceptional performance, the LA may consider the use of its flexibilities to award enhanced pay progression, by awarding a further move up the scale by one further point until/unless the maximum of that scale has been reached.

**In the case of those on the Upper Pay Range pay progression to the next point of the pay range until the maximum is reached will be awarded following two successful appraisals**, combined with evidence that the teacher has maintained the standards (highly competent, substantial & sustained) as defined later in this document.

**In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process** However, like other teachers, NQTs will have their pay determined annually and evidence from the induction process will inform decisions regarding pay.

It will be possible for a 'no progression' determination to be made without recourse to the LA's Performance Management Policy.

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

### **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.

**All applications** should include the results of reviews or appraisals from the previous year, including recommendation on pay (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).

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application.

Where a teacher is subject to the 2011 or the 2012 Regulations, the LA will have regard to the assessments and recommendations in the teacher's appraisal reports under those regulations.

Those teachers who are not subject to the Appraisal Regulations 2012, or who have been

absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application, from the LA and other schools, in support of their application.

## The Assessment

An application from a qualified teacher will be successful where the LA 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 organisation are substantial and sustained.**

In line with the pay policy:

- 'highly competent' means;

**"highly competent"**: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working which results in teaching being 'good', as defined by the standards used by Ofsted.

- 'substantial' means

**"substantial"**: the teacher's achievements and contribution to the organisation are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.

- 'sustained' means

**"sustained"**: the teacher must have had two consecutive successful appraisal reports in this organisation and have made good progress towards their objectives during this period (see exceptions in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

## The Process

One application may be submitted annually. Applications must be submitted between 1<sup>st</sup> September and 31<sup>st</sup> October each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave.

The process for applications is:

- ☑ Complete the LA's application form (Appendix 2);
- ☑ Submit the application form and supporting evidence to the Service Delivery Manager by the cut-off date of 31<sup>st</sup> October each academic year
- ☑ The relevant manager will assess the application, which will include a recommendation to the Service Delivery Manager/Assistant Director;
- ☑ The Service Delivery Manager/Assistant Director will make the final decision'



- ☑ Teachers will receive written notification of the outcome of their application within 20 working days where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy.
- ☑ If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- ☑ Successful applicants will move to the minimum of the UPR on 1<sup>st</sup> September of the current year of application.
- ☑ Unsuccessful applicants can appeal the decision as set out in the Appeals at Appendix 1 of this policy.

## 11. Allowances to teachers

### 11.1 Teaching and Learning Responsibility Payments (TLRs) (STPCD paragraph 20)

A Teaching and Learning Responsibility payment ("TLR") may be awarded to a teacher for undertaking a sustained additional responsibility in the context of the organisations staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which he is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

**TLR1s** – the annual value is £8,291 - £14,030

The LA does not currently award any TLR1's within its staffing structure.

**TLR2s** - the annual value is £2,873- £7,017

The LA currently awards TLR2's at the rate of £2,873 within its staffing structure.

#### **TLR3s**

The LA may award a fixed term third TLR (TLR3) for:

- ☑ clearly time limited school improvement projects
- ☑ one-off externally driven responsibilities

The annual value of a TLR3 must be no less than £571 and no greater than £2,833, depending on the nature of the work.

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

Although a teacher cannot hold a TLR1 and a TLR2 at the same time, a teacher in receipt of a TLR 1 or 2 can concurrently hold a TLR3.

With the exception of sub-paragraphs (c) and (e) which do not have to apply to the award of TLR3's, before awarding any TLR the LA must be satisfied that the teacher's duties include a significant responsibility that is not required of all 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 teacher's assigned classes or groups of pupils; and
- e) involves leading, developing and enhancing the teaching practice of other staff.

### **11.2 Special Educational Needs (SEN) Allowance** (STPCD paragraph 21)

A SEN allowance will be awarded in accordance with paragraph 21 of STPCD.

The value of a SEN will be no less than £2,270 and no more than £4,479 per annum per annum.

The relevant manager will award a SEN allowance to a teacher-

(a) in any SEN post that **requires** a mandatory SEN qualification; (NOTE: the National Award for Special Educational Needs Co-ordination is not one of the mandatory qualifications leading to the payment of an SEN allowance).

(b) in a special school;

(c) who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service;

(d) in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post -

(i) involves a substantial element of working directly with children with special educational needs;

(ii) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and

(iii) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

The LA will allocate an SEN spot allowance of £2,270 (SEN1) to all teachers who satisfy the statutory criteria set out above.

The LA will allocate an SEN spot allowance of £4,479 (SEN2) where the post-holder satisfies the criteria set out above and in addition has considerable relevant experience, significant additional responsibility and is one of the service's leading professionals in this area.

### **11.3 Allowances to unqualified teachers**

The LA may determine that such additional allowance as it considers appropriate is to be paid to an unqualified teacher where it considers, in the context of its staffing structure and pay policy that, the teacher has:

- a) taken on substantial additional responsibility which
  - I. is focused on teaching and learning, and
  - II. requires the exercise of a teachers professional skills and judgement
- b) qualifications or experience which will bring added value to the role being undertaken

## **12. Additional payments**

12.1 Subject to STPCD paragraph 26, the LA may make such payments as they see fit to a teacher other than a headteacher, in respect of:

- a) continuing professional development undertaken outside of the school day
- b) activities relating to the provision of initial teacher training as part of the ordinary conduct of the school day
- c) participation in out of hours learning activity agreed between the teacher and the head teacher
- d) additional responsibilities and activities due to or in respect of the provision of services relating to the raising of educational standards to one or more additional schools

The LA will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

### **12.2 Recruitment and retention incentives and benefits**

Subject to STPCD paragraph 27 the LA may make a payment or provide such other financial assistance, support or benefits to a teacher as it considers to be necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers.

The duration of the payment will be specified at the time of issue dependant on the reason, recruitment, retention, incentive, support etc

A review date at which point the payment may be withdrawn will also be specified.

## **13. Part-time teachers**

13.1 The LA will make its determination in line with the 'pro rata principle' under paragraph 41 & 42 of the STPCD.

Teachers employed on an ongoing basis but who work less than a full working week are deemed to be part-time. The LA 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 timetabled teaching week for a full-time teacher in an equivalent post.

Part time teachers must be paid a percentage of the full time equivalent salary. The same percentage must be applied to allowances awarded to a part-time teacher.

### **13.2 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.

In making such determinations, the LA may take into account a range of factors in line with the 'Basic Pay Determination on Appointment' section earlier in this policy.

#### **14. Pay increases arising from changes to STPCD**

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

#### **15. Salary Safeguarding**

Safeguarding arrangements will apply according to the provisions of STPCD.

#### **16. Appeals**

Appeals will be made in line with the Appeals Process (Appendix 1).

The letter of appeal must state the reason for the appeal and the factors giving rise to it.

#### **17. Monitoring the impact of this policy**

The LA 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 LA's continued compliance with equalities legislation.

## Pay Policy for Centrally Employed Teachers

### APPEALS PROCEDURE

The School Teachers' Pay and Conditions Document ("the Document") requires schools and local authorities to have a pay policy in place that sets out the basis on which teachers' pay is determined and the procedures for handling appeals.

A pay recommendation can be made as part of the appraisal cycle and when an application is made to the upper pay range. In both circumstances, decisions will be made by the LA. Written details of and the reasons for the pay recommendation will be given to the teacher.

Where a teacher is dissatisfied with the pay recommendation they may raise this as follows:

**Stage one** - wish to have an informal discussion with the appraiser before the pay decision is made.

If the teacher believes that an incorrect recommendation had been made, they may:

**Stage two** - make formal representations to the decision maker in writing stating the grounds for not agreeing to the pay recommendation.

The teacher may make representations which include presenting evidence, calling witnesses and have the opportunity to ask questions of the decision maker at a formal meeting. The teacher is entitled to be accompanied by a colleague or trade union representative. The decision will be communicated in writing within 5 working days.

Where this is not possible or they are still dissatisfied, the teacher may follow a formal appeals process as stated below – **Stage Three:**

- If the teacher wishes to exercise their right of appeal, they must write to the Director at the earliest opportunity and within 5 working days of the decision at stage two, stating the grounds of the appeal and the facts on which they will rely.
- Upon receipt of the appeal, the Director will make the necessary arrangements for the appeal hearing to be arranged. This will be chaired by the Director unless they have been involved in the decision making process previously, if so this will be delegated to another Director/Executive Director as appropriate. A representative from HR will attend to provide support as required.
- A date for an appeal should be convened at the earliest opportunity, ideally within 20 working days of receipt of the appeal letter.
- The teacher will be invited to attend and is entitled to be accompanied by a colleague or trade union representative. Those involved in the decision making will also be invited. (NB this may involve the person who made the original recommendation and the decision maker).
- The teacher should provide all relevant evidence to the Chair and decision maker no later than 5 working days before the Appeals hearing.

- ☑ The decision maker should provide the Chair and teacher with all relevant documentation e.g. appraisal policy, appraisal documents, decision letter etc by the same date (this may mean that decision maker and teacher share inform each other of the documents to be submitted to avoid duplication)
- ☑ Evidence may be submitted after this date by agreement of the Chair

## Conduct of the Appeal Hearing

The Chair of the Appeals Committee will ensure the conduct of the hearing is as follows:

- ☑ Introductions of all parties
- ☑ Employee/representative to state their case (including relevant evidence to support their case)
- ☑ Recommender/decision maker/management has the opportunity to ask questions of the employee/representative
- ☑ Chair & HR rep to ask questions of the employee/representative
- ☑ Recommender/decision maker/management to present their case
- ☑ Employee has the opportunity to ask questions
- ☑ Chair & HR rep to ask questions of the recommender/decision maker/management
- ☑ Ask the employee followed by management to sum up
- ☑ Adjourn to make a decision
- ☑ The Chair will communicate their decision where possible in person. However, if this is not possible, notification will be in writing within 5 working days of the hearing. The Chair will also communicate the decision to the other attendees in the same timescales.

The decision of the Chair is final.

Please note, there will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left their employment. Should a teacher lodge an appeal and decide to leave their employment if possible attempts should be made to hear the appeal before that teacher leaves. However, where that is not possible the *modified procedure below will be used*:

### Modified Procedure

Where a teacher has, whilst employed, lodged an appeal against a pay decision but has then subsequently left employment before any appeal hearing is held, the following steps will be observed:

- ☑ The teacher must have set out details of their appeal in writing;
- ☑ The teacher must have sent a copy of their appeal to the Assistant Director.
- ☑ The Assistant Director will consult with relevant personnel and provide the teacher with an appropriate written response on behalf of the LA.