

SCHOOL PAY POLICY
FEDERATION OF SHAROW CE SCHOOL AND SKELTON NEWBY HALL CE PRIMARY SCHOOL
September 2018 – August 2019

Policy produced for Schools under Local Management of Schools, together with Early Years providers under the HR service provision of North Yorkshire County Council.

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The Governing Body of the Federation of Sharow CE School and Skelton Newby Hall CE Primary School

adopted this policy at the Resources Committee meeting on 14th November 2018

2. Scope of the Policy

The Policy will cover all staff employed on the payroll of the Federation of Sharow CE School and Skelton Newby Hall CE Primary School, irrespective of grade or conditions of service. It will have reference to those statutory instruments and other conditions of service which affect pay and grading, including, as issued and revised: -

The School Teachers Pay and Conditions Document (The Document);
The Conditions of Service for School Teachers in England and Wales (the 'Burgundy Book');
The NJC for Local Government Services National Agreement on Pay and Conditions of Service (the 'Green Book' for support staff);
The North Yorkshire County Council/Unison Collective Agreement and
The JNC for Youth and Community Workers (the 'Pink Book').

Any significant changes to this policy, other than those resulting from changes to the documents listed above, will be the subject of consultation between the Governing Body and the appropriate trade unions and professional associations represented within the school.

Where changes are made to this policy they should be communicated promptly to all staff in a manner designed to draw their attention to the changes. The policy is subject to review annually or as otherwise required.

The implementation, review and operation of this policy will be the responsibility of the Governing Body of the School, through its Resources Committee (henceforward known as 'the Committee'), and advised by the school's Headteacher, in line with your scheme of delegation.

This should include:

- *who will operate it*
- *whom it will cover*
- *where it will operate*
- *to what it will have reference (e.g. STP&CD, conditions of service)*
- *who will be consulted*
- *when it will be reviewed*

Useful information on teachers' pay is available at: [Teachers' Pay and Conditions](#) and for support staff at www.lge.gov.uk and via the CYPS info site

3. Implementation

It is intended that the school staffing budget will include an annual allocation to cover the total cost of existing and any additional planned salaries and any likely performance progression within Governors' discretion. Alterations to the school's Pay Policy will be proposed by the Resources Committee to the Governing Body for final approval. The committee, with delegated responsibility, will conduct an annual review of the salary structure of the school, with any changes normally taking effect from 01 September each year.

The Resources Committee will consider all matters relating to pay and grading within the school, for all staff. The committee will be advised by the Headteacher, who will be required to withdraw when matters pertaining to his or her own grading and salary are being considered. This may include matters which could have a direct 'knock-on' effect on the Headteacher's pay, for example, the determination of the pay range for Deputies and/or Assistant Headteachers or other members of the leadership group. Governors employed at the school cannot be members of this Committee and any Governor with a financial or personal interest in the matters being considered will be required to withdraw from such deliberations.

The Resources Committee will determine pay and grading for staff within the parameters set by this policy in as fair and equitable a manner as possible, observing all statutory and contractual requirements. The committee will determine the pay of each member of staff annually, and more frequently if appropriate, within the school's allocated staffing budget. All decisions of the Committee in relation to pay and grading will be clearly minuted. Decisions of the committee will be communicated to those individuals affected, in writing.

The full Governing Body will receive the report of the Committee in

This section should cover the involvement of governors in sub-committees, including terms of reference, and advice. This should include:

- *membership of committees*
- *powers delegated to them*
- *timing of pay/grading reviews*

This Committee may also be charged with appraising the Headteacher under appraisal arrangements.

Schools should ensure that all decisions and the reasons for them are well documented at every stage. All pay decisions must be made on objective criteria so that there is no discriminatory effect on any group of teachers with a particular protected characteristic under the Equality Act 2010.

DfE advice is available here: [Equality considerations in relation to appraisals and pay](#)

the confidential section of the agenda and will endorse or refer back any proposals made. Teachers, staff and any other Governors with a direct or indirect pecuniary interest may be required to withdraw if any matters contained in the report are to be debated. It may also be appropriate, in some circumstances, if members of the Appeals Committee also withdraw.

The Governing Body will ensure that every teacher's salary is reviewed annually with effect from 01 September and no later than 31 October (or 31 December in the case of the Headteacher) and give them a 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 change in the basis for calculating an individual's pay. Any such revision should be accompanied by a revised pay statement within one month of the determination being made.

Various template pay statements are attached at Appendix B

4. Staffing Structure and Implementation Plan

The Governing Body will publish a whole school Staffing Structure. A copy of this document will be attached to the school's Pay Policy. Should it subsequently be necessary to propose amendments to the Staffing Structure, consultation will take place, as appropriate, in line with the school's Reorganisation, Redundancy and Redeployment Policy and Procedure.

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, see section 5) as per the requirements of the Document.

In line with the Rewards and Incentives Group (RIG) published 'Tool Kit', good practice should involve; an explanation of the philosophy behind the changes, present and proposed Job Descriptions being made available along with the new staffing structure, highlighting the three types of changes;

- 1. Identical positions, where staff can be 'pass-ported' from the old to the new structure.*
- 2. Hybrid positions where certain staff who previously had similar positions would be 'ring fenced' to apply.*
- 3. Totally new jobs open for anyone to apply.*

Also, the inclusion of a statement of commitment to a transparent process would be appropriate.

5. Salary Safeguarding for Teachers

The Governing Body is required to review the duties of any teachers who are entitled to safeguarded sums that in total exceed £500 and allocate appropriate additional responsibilities, commensurate with the safeguarded sum, for the period of safeguarding. The Governing Body will ensure that appropriate notice is issued of any new responsibilities which are being given to the teacher as work commensurate with their safeguarded sum. All such additional responsibilities allocated will be kept under review until the safeguarding period ends, when a decision will be taken about the future allocation of those responsibilities. Where a teacher unreasonably refuses to carry out additional responsibilities the safeguarded pay may be removed subject to at least one month's notice being given.

The Full Rules and Guidance on Salary Safeguarding are available in the Document at : [Teachers' Pay and Conditions](#)

6. Pay Progression for Teachers based on Performance (including members of the Leadership Group and Leading Practitioners)

Performance appraisal will be carried out in line with the Education (School Teachers' Appraisal) (England) Regulations 2012 including reference to the Teachers' Standards 2012. The arrangements for teacher and support staff appraisal are set out in the school's Appraisal Policy.

In the case of Newly Qualified Teachers (NQTs), whose appraisal arrangements are different, pay decisions will be made by reference to the outcome of the statutory induction process.

In determining what, if any, incremental increase to recommend the appraiser will take into account progress against **appraisal objectives** and performance against the **Teachers' Standards**. For those teachers with additional responsibilities e.g. TLRs and SEN allowances an assessment will also be made of the extent to which these responsibilities have been met.

The Governing Body is required to allocate appropriate funding for performance pay progression at all levels.

It is critical for schools to establish a firm and objective evidence base and for teachers to be made clear, from the outset, as to the criteria on which pay recommendations will be based.

Detailed advice is available from the DfE; [Use of evidence in appraisals and pay decisions](#). All teaching unions/professional associations have also published guidance.

In considering DfE advice NYCC recommends that great care needs to be taken if any evidence has a high degree of subjectivity (e.g. feedback from colleagues, parents and pupils). It is important to take context into account. The focus should be on objective criteria as much as possible as the greater the degree of subjectivity, the more likely it will be open to challenge. Where relevant, refer to separate processes (grievance, performance, conduct).

There is a responsibility on teachers and appraisers to work together. **The school will establish a firm and objective evidence base in relation to the performance of all teachers.** Teachers should also gather any evidence that they deem is appropriate to demonstrate the meeting of objectives, the Teachers' Standards and any other criteria (including application to be paid on the upper pay scale).

The evidence to be considered should be made clear to teachers from the outset as should any weighting given to particular objectives. Headteachers and senior school managers will need to consider arrangements for the moderation of target setting and appraisal outcomes, taking into account the degree of challenge of different targets and the possible weighting given to key targets e.g. pupil progress.

Progress should be reviewed during the appraisal cycle and any concerns about performance that may pose a risk to pay progression should be signalled at an early stage. Due consideration will be given to unmet objectives that are due to reasons beyond the teacher's control.

Appraisal reports will include pay recommendations to be taken forward by the Headteacher to the Committee.

The Governing Body wishes to recognise good and excellent performance in its teachers and will apply performance related pay under the following terms:

- A performance which **meets requirements** will receive a one-point increase within the pay scale, if headroom allows
- A performance which **fails to meet requirements** will not receive an increase
- Additionally, teachers will also not receive an increment if their sickness absence exceeds stated limits:

Evidence used may include pupil progress records, planning records, pupils' work scrutiny (including marking and assessment) and lesson observations. Schools may wish to add their own criteria but need to take into account the need for justification in case of challenge. For example, budgetary issues cannot be used as a criterion to determine (or restrict) pay progression.

NYCC recommends the use of absolute criteria rather than relative criteria (e.g. rank order) as the latter can be seen as divisive.

The following is an example of how performance may be recognised; schools need to adopt this wording or, otherwise, determine their own criteria: -

- A performance which **meets requirements** will receive a one-point increase within the pay scale, if headroom allows
- A performance which **fails to meet requirements** will not receive an increase

Schools may also consider recognising excellent performance in the following terms but should be aware of the need to have sound objective evidence to justify differentiated pay progression:

- A performance which **significantly exceeds requirements** will receive a two-point increase within the pay scale, if headroom allows

In addition, schools may wish to insert one or more of the following policy statements: -

Schools may wish to consider adding the attendance criteria below to bring teachers in line with support staff. However, this element is at particular variance with the Professional Associations' stance and may therefore be robustly challenged.

1. Additionally, teachers will also not receive an increment if their sickness absence exceeds stated limits:

Period Max days in year 3 yr total limit

01.09.18 – 7 21
31.08.19

Only if the maximum sickness absence is exceeded for the last review period, then the 3-year total will be considered (current year plus previous 2 years).

Taking into account performance against the stated criteria, staff with headroom within the pay band will have pay progression withheld.

Increments will not be granted where staff do not meet the above criteria. However, exceptions will be considered for:

- *One-off absence of normally **not more** than three months where the individual has an otherwise excellent attendance record.*
- *Staff whose illness prevents them from attending their usual place of work and whose offer to work in a different capacity / location is unable to be accommodated by their manager.*
- *An individual who is injured in the course of their duties. This will be taken into consideration unless the individual has been negligent of their own safety or wellbeing. Where the sickness absence is work related, or due to contact with infectious diseases contracted directly in the course of employment, consideration may be given to it being exempt.*
- *Disability Related Sickness Absence*

If the cause of sickness absence was related to pregnancy then this must not be taken into account in the employee's sickness absence

total figure for assessment against the target figures.

If a period of warning/under-performance crosses two appraisal years pay progression would be withheld only once (in the first year) provided that conduct/performance was acceptable in the remainder of the second year.

7. Grading and Salary Determination

Salaries will be determined in September 2018 in relation to the arrangements specified in the 2017 Document. Therefore, the performance related pay arrangements will be effective from September 2018, based on performance in the academic year 2017/18.

All pay scales referred to in this document reflect the mandatory increases to the minima and maxima of the pay scales and TLR and SEN allowances from 01 September 2018.

i) Leadership Group

All teachers paid on the Pay Spine for the Leadership Group are not eligible for Special Needs Allowances (SEN) or for Teaching and Learning Responsibility Payments (TLR).

Leadership Group Pay Spine

L1	39,965
L2	40,966
L3	41,989
L4	43,034
L5	44,105
L6	45,213
L7	46,430

NYCC recommend the retention of existing pay scales for teachers i.e. 6 point scale for MPS, 3 point scale for UPS, 6 point scale for Unqualified teachers and 18 point scale for leading Practitioners. If schools wish to depart from these pay scales it is important to be aware that NYCC may need to make representations against this decision.

NYCC also recommends retention of the 43 point Leadership Group pay spine.

This section should contain detailed provisions relating to the determination of salary levels within the school, including new appointments, or it may refer the reader to the detailed provisions of other documents, particularly the School Teachers' Pay and Conditions Document ('the Document')

it may be broken down to separately consider:

- i) Leadership Group*
- ii) Leading Practitioners*
- iii) Main Pay Scale Teachers*
- iv) Threshold and Post – Threshold Teachers*
- v) Unqualified Teachers*

L8	47,501
L9	48,687
L10	49,936
L11	51,234
L12	52,413
L13	53,723
L14	55,064
L15	56,433
L16	57,933
L17	59,264
L18 *	60,153
L18	60,755
L19	62,261
L20	63,805
L21 *	64,736
L21	65,384
L22	67,008
L23	68,667
L24*	69,673
L24	70,370
L25	72,118
L26	73,903
L27*	74,985
L27	75,735
L28	77,613
L29	79,535
L30	81,514
L31*	82,701
L31	83,528
L32	85,604
L33	87,732
L34	89,900

vi) Early Years Teachers

vii) Support Staff

When determining the leadership pay ranges for Heads, Deputies and Assistant Headteachers, the relevant body must take into account all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations. The relevant body must ensure that there is appropriate scope within the range to allow for performance related progress over time

Whenever a new Headteacher, Deputy or Assistant Head is due to be appointed, or there are significant changes to a role, the following three stage process should be undertaken:

Stage 1 – Defining the role and determining the Headteacher group
 Stage 2 – Setting the indicative pay range (the point at which the range will start within or, exceptionally and for Heads only, above the Headteacher group
 Stage 3 – Deciding the starting salary and individual pay range

Stage 1

*Governing Bodies should use this stage to define the job and identify the broad pay range as a provisional guide to determining an appropriate level of pay. They will need to define and set out the specific role, **responsibilities and accountabilities** of the post as well as the **skills and relevant competences** required.*

Stage 2

*GBs should decide where in the broad range to position the indicative pay range and set this out clearly when they advertise the job. GBs should make an **overall judgement** on the position and breadth of range, allowing appropriate scope for performance-related progression over time, clearly linked to school improvement priorities and outcomes.*

Stage 3

L35*	91,223
L35	92,135
L36	94,416
L37	96,763
L38	99,157
L39*	100,568
L39	101,574
L40	104,106
L41	106,892
L42	109,383
L43	111,007

* **Note:** Scale points to be applied **only** to head teachers at the top of the school's headteacher group range

Headteacher groups

Group 1	L6 (£45,213) – L18* (£60,153)
Group 2	L8 (£47,501) – L21* (£64,736)
Group 3	L11 (£51,234) – L24* (£69,673)
Group 4	L14 (£55,064) – L27* (£74,985)
Group 5	L18 (£60,755) – L31* (£82,701)
Group 6	L21 (£65,384) – L35* (£91,223)
Group 7	L24 (£70,370) – L39* (£100,568)
Group 8	L28 (£77,613) – L43 (£111,007)

Headteachers

Upon planning to appoint a new Headteacher, the Governing Body will review the school's Headteacher pay range within, or exceptionally above, the appropriate school group on the Pay Spine for the Leadership Group. Upon appointment, the Governing Body will determine a pay point within the pay range for the Headteacher, in accordance with the provisions of the Document. This decision will

The first two stages provide the means for determining the appropriate pay range. The third stage is essentially about deciding on the starting salary for the individual who is to be offered the post. At this stage you will have a preferred candidate for the role and will wish to set the starting salary in the light of candidate-specific factors, such as the extent to which the candidate meets the specific requirements of the post. It will be important for you to ensure that there is scope for performance-related progression over time.

Any person who advises on Leadership pay ranges should consider whether they have a direct or indirect personal interest in the outcome.

The Headteacher Pay Range must be a number of consecutive points on the Leadership pay scale within the school's group, (unless a higher payment is warranted – see paragraph below).

Pay ranges for Headteachers should not normally exceed the maximum of the Headteacher group. However, the Headteacher's pay range may exceed the maximum where the relevant body determines that circumstances specific to the role or candidate warrant a higher than normal payment. The relevant body must ensure that the maximum of the Headteacher's pay range and any additional payments made under paragraph 10 of the Document does not exceed the maximum of the Headteacher group by more than 25% unless in exceptional circumstances and where supported by a business case and where suitable independent external advice has been first taken.

Determination of Temporary Payments to Headteachers

Subject to the paragraph below the governing body 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. In each case the relevant body must not have previously taken such reason or

have reference to the pay of other leadership group and upper payscale teachers in the school, so that appropriate differentials are maintained. Only in exceptional circumstances will the Headteacher pay range overlap with any other leadership pay range. A new Headteacher will normally be appointed to the first point on the Headteacher pay range but may be appointed to a higher point if circumstances make a higher point appropriate. However, headroom for performance related pay progression will remain available within the range.

The Headteacher pay range for this school is

L9 – L15

If a temporary payment is made to the Headteacher the reasons for and duration should be listed here.

n/a

The Committee will agree performance objectives with the Headteacher, after receiving the advice of their external adviser, in accordance with the prevailing performance management/appraisal legislation.

The Committee will review performance against objectives set for the preceding year and other stated performance criteria, again receiving advice from their external adviser. The Headteacher must demonstrate sustained overall high quality of performance in order to be considered for a performance point(s) increase.

To be fair and transparent, judgements must be properly rooted in evidence and be made having regard to the most recent appraisal or reviews.

Taking such performance into account, the Resources Committee will determine whether no, one or two pay points are to be awarded for progression within the Headteacher's pay range.

Progression within the Headteacher's pay range will be

circumstance into account when determining the Headteacher's pay range.

The total sum of salary and temporary payments made to a Headteacher must not exceed 25% above the maximum of the Headteacher group, except as set out in paragraph 10.4 of the Document.

Temporary payments to Headteachers do not apply to additional payments made in accordance with:

- (a) paragraph 25 of the Document where those residential duties are a requirement of the post; or*
- (b) paragraph 27 of the Document to the extent that the payment is in respect of relocation expenses which relate solely to the personal circumstances of that Headteacher (including Deputy and Assistant Headteachers). All other recruitment and retention considerations in relation to a Headteacher must be taken into account when determining the Headteacher's pay range.*

In accordance with paragraph 10.4 of the Document, the governing body may determine that additional payments be made to a Headteacher which exceed the 25% limit only in wholly exceptional circumstances and with the agreement of the governing body. The governing body must seek external independent advice before providing such agreement.

Effective from 01 September each year.

Where a Headteacher is appointed to be responsible for more than one school, the following arrangements will apply

Permanent Arrangement e.g. a federation with a single governing body or permanent collaboration:

The remuneration in such cases should be based on the calculation of the total number of pupil units across all schools, which will give a group size for the federation. The relevant body should then determine the Headteacher's pay range and appropriate starting point in that range according to paragraph 9 of the Document.

The Headteacher's pay range may exceed the maximum of the group where the governing body determines that circumstances specific to the role or candidate warrant a higher than normal payment. The governing body must ensure that the maximum of the Headteacher's pay range and any additional payments made under paragraph 10 of the Document does not exceed the maximum of the Headteacher group by more than 25% unless in exceptional circumstances and where supported by a business case and where suitable independent external advice has been first taken.

Temporary Arrangement e.g. a Headteacher takes on the post of Acting Headteacher at another school in addition to his/her existing post.

In such cases a fixed term variation of contract must be issued by the providing school.

Where appropriate, the Headteacher may be awarded an additional payment as detailed on page 13 of this policy.

Remuneration of other teachers affected

In all cases, consideration needs to be given to the remuneration of other teachers who as a result of the Headteacher's role are taking on additional responsibilities. This will be based on any additional responsibilities attached to the post (not the teacher). The additional responsibilities and their duration should be recorded. An increase in

Under the Collaboration Regulations the governing bodies may arrange for a joint committee made up of governors from all the schools involved to be established to oversee the Headteacher's pay arrangements.

See Appendix A for guidance on pay progression decisions.

remuneration should only be agreed where the post accrues extra responsibilities as a result of the head teacher's enlarged role; it is not automatic.

Deputy Headteachers and Assistant Headteachers

The Committee will determine a pay range of a number of consecutive points from the Pay Spine for the Leadership Group for each Deputy Headteacher and Assistant Headteacher. The individual pay ranges set will reflect the relative responsibilities and job weight of the roles concerned.

A new Deputy or Assistant Headteacher will normally be appointed to the first point on their pay range but may be appointed to a higher point on their pay range if circumstances make this appropriate. However, headroom for performance related pay progression will remain available within the range.

In this school Deputy Headteacher(s) pay range(s) are as follows: n/a

In this school Assistant Headteacher(s) pay range(s) are as follows: - n/a

The Committee will be advised by the Headteacher of performance against objectives agreed for the preceding year and other stated performance criteria, and must have regard to the recommendation on pay progression recorded in the teacher's most recent planning and review statement. The Committee will take this into account when determining whether to award pay point progression (if any) of one or two points within the individual range. Progression within the range will be based on evidence of sustained high quality of overall performance.

To be fair and transparent, judgements must be properly rooted in evidence and be made having regard to the most recent appraisals or

See also Section 12 – Additional Matters

The maximum of the Deputy or Assistant Headteacher's pay range must not exceed the maximum of the Headteacher group for the school.

The pay range of a Deputy Headteacher must be a number of consecutive points on the Leadership Pay Scale and should not overlap with the Headteacher's pay range other than in exceptional circumstances.

The pay range of an Assistant Headteacher must be a number of consecutive points on the Leadership Pay Scale and should not overlap with the Headteacher's pay range other than in exceptional circumstances.

Deputy and Assistant Headteachers may not be awarded payments under paragraphs 27.1 and 27.2 other than reimbursements of reasonably incurred housing or relocations costs. All other recruitment and retention considerations in relation to a headteacher, deputy headteacher or assistant headteacher – including non-monetary benefits – must be taken in to account when determining

reviews.

the pay range.

See Appendix A for guidance on pay progression decisions.

ii) Leading Practitioners

Schools may appoint Leading Practitioners (LPs) within their staffing structures. The primary purpose of such posts is the modelling and leading improvement of teaching skills. This may include outreach work for the benefit of the wider teaching community.

There is no minimum service criterion for a Leading Practitioner.

Leading Practitioners are not eligible for Special Educational Needs Allowances or for Teaching and Learning Responsibility Payments.

The Committee will select an appropriate pay range from the LP pay spine. Different Leading Practitioners in the school may be placed on different individual ranges in accordance with the responsibilities of their Job Descriptions. The range will be reviewed where there is significant change in the responsibilities of an existing LP. The Committee will have regard to the recommendation on pay progression recorded in the teacher's most recent appraisal statement when determining whether to award no, one or two pay points for progression within the individual range, effective from 01 September

In this school the pay scale and pay range(s) applicable to Leading Practitioners are as follows: -

Leading Practitioners Pay Scale

Spine point	£
1	40,162

Schools with Leading Practitioners are required to select an appropriate pay range between £40,162 and £61,055. NYCC recommends that schools adopt the pay scale opposite and use pay

2	41,167
3	42,195
4	43,246
5	44,322
6	45,432
7	46,656
8	47,733
9	48,925
10	50,180
11	51,484
12	52,670
13	53,987
14	55,333
15	56,710
16	58,238
17	59,554
18	61,055

Pay Range(s)

n/a

The Committee will be advised by the Headteacher of performance against objectives agreed for the preceding year and other stated performance criteria including the Teachers' Standards, and must have regard to the recommendation on pay progression recorded in the teacher's most recent planning and review statement. The Committee will take this into account when determining whether to award pay point progression (if any) of one or two points within the individual range.

iii) Main Pay Scale Teachers (MPS)

In this school MPS teachers will be paid in accordance with the following pay scale: -

Scale point	£
1	23,720

ranges of a number of consecutive points within this scale in order to safeguard schools and the local authority against equal pay claims

See Appendix A for guidance on pay progression decisions

2	25,344
3	27,380
4	29,488
5	31,811
6	35,008

Upon Commencement

The salary of teachers new to the school will be assessed and notified prior to commencement.

In this school newly qualified teachers will be paid as follows: -
M1

The school reserves the right to set a maximum starting salary for teaching posts prior to advertising.

Subject to any maximum starting salary, this school will normally honour pay portability and hence teachers with previous teaching experience will normally be paid at the pay level of their most recent teaching post. In certain circumstances teachers may be paid at a higher or lower level than their previous teaching post.

Existing Teachers in the same school

The point on the pay scale of teachers continuing to be employed at the same school may not be reduced and any pay progression is permanent while teaching in the same school.

Pay Progression

The salary of main pay scale teachers will be reviewed with effect from 01 September each year and each teacher will be issued with a salary statement by 30 November.

Governors will take advice about the performance of teachers from the Headteacher and must have regard to the recommendation on

Schools must select an MPS pay range between £23,720 and £35,008. NYCC recommends that the pay scale opposite be adopted in order to minimise the risk of potential equal pay claims.

If and when the school exercises this right, it is very important that the pay range and/ or maximum starting salary is clearly advertised and also appears in supporting recruitment documentation. Consideration should be given to the impact on the school's ability to attract the best candidate for the job, and the salary should be clear in any job offer made.

Newly qualified teachers will normally be paid initially on the first point of the scale but may be paid on a higher point if they have previous experience relevant to their role.

Under normal circumstances teachers are unlikely to move posts for a lower salary. However in certain situations e.g. redundancy or moving to a new geographical area, a teacher may be prepared to accept a post at a lower salary in order to gain alternative employment.

The Governing Body has discretion to award points for experience other than as gained as a qualified school teacher.

This may include previous teaching in a City Technology College, a further or higher education institute, or in independent schools. The governing body should have an agreed approach to this issue although each case should be considered on its merits. This should be included in the school's pay policy. An example of such an approach, as recommended by NYCC, is stated below:

pay progression recorded in the teacher's most recent appraisal statement.

A recommendation for no pay progression in any particular year will not necessarily imply that a teacher is or should be subject to formal under-performance procedures.

Special Educational Needs Allowance

A SEN allowance of no less than £2,149 and no more than £4,241 per annum is payable to a classroom teacher if that teacher:

- is in any SEN post that requires a mandatory SEN qualification
- is in a special school
- teaches pupils in one or more designated special class or units in a school
- is in any non-designated setting (including any PRU) that is equivalent 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 their professional skills and judgement in the teaching of children with special 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.

Where the allowance is payable the school will determine the spot value of the allowance for each relevant teacher taking in to consideration the structure of the SEN provision and the following factors:

- whether any mandatory qualifications are required for the post;
- the qualifications and expertise of the teacher relevant to the post; and

- One point for each 3 years of relevant experience up to a maximum of two points;
- Up to one point for partially relevant experience and/or relevant unremunerated activity;
- Hence a maximum total of three discretionary points for experience are available.

It is important that you are clear from the outset of the appraisal process who will make recommendations in relation to pay decisions and who will make the pay determination as this cannot be the same person.

In establishing appropriate values for their SEN allowances, schools should ensure that they have considered the full range of payments available and that the values chosen are properly positioned between the minimum and maximum established in the National Framework. For example, a teacher who is teaching a special class for which a mandatory qualification is required and who has considerable relevant experience (and who is therefore seen as one of the school's leading professionals in this area) would be more likely to be paid towards the top end of the national range. Differential values relating to SEN roles in the school should be established to properly reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified.

- the relative demands of the post.

In this school the level(s) of SEN Allowance(s) will be as follows: -

n/a

Teaching and Learning Responsibility Payments (TLRs)

TLRs may be awarded for undertaking a sustained responsibility in the context of the school's staffing structure that is needed to ensure continued delivery of teaching and learning. Before awarding a TLR, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers, and that -

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

TLR 1 and 2

Before awarding a TLR1, the Governing Body must be satisfied that the significant responsibility referred to in the previous paragraph includes, in addition, line management responsibility for a significant number of people.

*Schools are **not** required to review their current TLR pay structures but may do so at their discretion through a meaningful consultation process with staff and recognised professional associations.*

Where the Governing Body has approved a TLR post, in conformity with the criteria stated in the Document, the postholder will receive an appropriate TLR payment (from the implementation date) in accordance with the following levels of responsibility: -

TLR 1 range = £7,853 - £13,288

TLR 2 range = £2,721 - £6,646

In this school the TLR pay structure is as follows (state current TLR values): -

TLR2a £2,721

TLR2b £4,695

TLR2c £6,429

The levels of TLR payments will be kept under review in accordance with changes in the Document, and consulted on as appropriate.

TLR 3

TLR 3s are temporary fixed-term and may be awarded for the following purposes: -

- 1) Clearly time-limited school improvement projects
- 2) One-off externally driven responsibilities

The annual value of a TLR3 is between £540 and £2,683, payable monthly for a fixed duration determined at the outset.

In this school the pay levels for TLR3 are as follows: -
n/a

No Safeguarding will apply to a TLR3 post.

The following are examples of possible payment levels: -

Example 1 Example 2

TLR1a £7,853 £7,900

TLR1b £9,445 £9,400

TLR1c £11,036 £11,000

TLR1d £12,628 £12,500

TLR2a £2,721 £3,100

TLR2b £4,695 £4,600

TLR2c £6,429 £6,100

Posts of equal weight should be awarded TLRs of equal value. Decisions to make payments above the applicable minimum levels should be justifiable in relation to the level of responsibilities attached to the post.

TLR 1 and TLR 2 must be awarded pro rata e.g. a 0.5 FTE teacher must receive 50% of the full annual value of the TLR. However, the TLR workload should be adjusted in proportion to the part-time nature of the post.

TLR 3s should be awarded for responsibilities that are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

The start and end date of a TLR3 must be clearly stated from the outset as should the specific duties and responsibilities aligned to the post.

The value of a TLR3 should be determined in relation to the duties and responsibilities of the post. For example, a TLR3c should be similar in weighting to a TLR2a.

The following is an example of possible payment levels:

TLR3a £540

TLR3b £1,608

TLR3c £2,682

TLR3s are a fixed amount for performance of a specified time-limited role and are not paid pro-rata for part-time teachers.

iv) Threshold and Post-Threshold Teachers

Mainscale Teachers are eligible to apply to cross the 'Threshold' to the Upper Pay Scale.

In this school the following requirements will apply to 'Threshold' applications:

From 01 September 2018 a teacher may apply to be paid on the Upper Pay Scale once reaching the top pay point of MPS. Successful applications made in the academic year in which a teacher first reaches the top point of MPS (deadline 31 October) will apply from 01 September following. Teachers in their second or subsequent years at the top of MPS may apply by 31 October of any year (deadline)

It is the responsibility of teachers to apply to be moved to the Upper Pay Scale.

Under the Document any teacher may apply to move to UPS regardless of their pay level on MPS.

NYCC recommends that the approach opposite is adopted by schools.

and, if successful, their progression will be backdated to 01 September of the same academic year.

Applications will be made to the Headteacher, who will appoint an assessor (this may be the Headteacher) to make a determination and give feedback to applicants. Where the Headteacher is not the assessor the Headteacher will moderate the process.

Recommendations for progression will be made to the Committee.

Applications will not be accepted more than once per academic year.

All applications should include the results of the last two available appraisal reviews together with a succinct summary of evidence against the assessment criteria.

An application from a qualified teacher will be successful where the Committee 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.

If a teacher is simultaneously employed at another school(s) they may make separate applications to each school. This school will not be bound by any pay decisions made by another school.

The Headteacher should notify the Committee of the recommendation, normally within 20 working days of the application. The committee, on receiving notification of a successful threshold application, will move the teacher to point 1* of the Upper Payscale at the appropriate time.

Teachers who are unsuccessful in their Threshold applications may appeal against the decision in accordance with section 13 of this document.

The following example of definitions is based on DfE guidance: -

*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; and

***'sustained'** means*

Maintained continuously over a period of at least 3 school years. They will be able to demonstrate that their teaching expertise has grown

Upper Pay Scale

Teachers who are successful in their Threshold Assessments will move to point one of the Upper Pay Scale* and may be considered for further progression after an additional two years' service unless exceptional performance merits progression after one year** in line with the school's Appraisal Policy. Teachers will be assessed in accordance with the school's Appraisal Policy to determine whether their contribution to the school has been **substantial and sustained**.

The Committee will receive a recommendation from the Headteacher based on appraisal outcomes in this regard and will decide whether or not to award an additional point or points to eligible teachers. Once awarded, points on the upper pay scale cannot be removed during the teacher's employment in the same school.

Post Threshold Teachers are eligible for the same Allowances as other Qualified Teachers.

In this school, Upper Pay Scale (UPS) teachers will be paid in accordance with the following pay scale: -

Scale point	£
U1	36,646
U2	38,004
U3	39,406

v) Unqualified Teachers

The following categories of unqualified teachers are allowed by law: -

- persons giving instruction in any art, skill, subject or group of subjects (including any form of vocational training) who have special qualifications and/or experience;

over the relevant period and is consistently at least good.

**The point at which the teacher is placed on UPS is discretionary and should reflect the school's policy on accelerated progression.*

*** NYCC recommends an additional two years' service (this is not mandatory), although schools may reduce this to one year for exceptional performers, with appropriate supporting evidence.*

The statutory requirement is to set a pay range within the upper and lower limits of the pay scale opposite. NYCC recommends that the range opposite is adopted, using the reference points stated, in order to minimise the risk of equal pay claims against the school and LA.

- overseas trained teachers;
- persons granted a licence under the provisions of Part II of Schedule 2 to the Education (Teachers) Regulations 1993⁽¹⁾ ;
- student teachers, teacher trainees who have yet to pass the skills test and those undertaking employment based teacher training leading to QTS; or
- assistant teachers at a nursery school or teachers of a nursery class, who were employed as teachers under the Education (Teachers) Regulations 1982 before 1 September 1989.

In this school the pay scale for unqualified teachers is: -

Scale point	£
1	17,208
2	19,210
3	21,210
4	23,211
5	25,214
6	27,216

Unqualified teachers may not receive Teaching and Learning Responsibility Payments or SEN Allowances but may receive points for other relevant experience as per qualified teachers (see section iii above)

The Committee will determine at which pay point a newly appointed unqualified teacher will enter the Unqualified Teachers Pay Scale, having regard to any previous experience, or any qualifications which they possess which are relevant to the post. Once awarded, pay points for Unqualified teachers are permanent for employment within the same school.

The Committee will take advice about the performance of unqualified

The statutory requirement is to set a pay range within the upper and lower limits of the pay scale opposite.

NYCC recommends that the pay scale opposite is adopted for Unqualified Teachers in order to minimise the risk of an equal pay claim against the school and LA

teachers from the Headteacher and must have regard to the recommendation on pay progression recorded in the teacher's most recent appraisal statement.

If deemed appropriate, an allowance, of discretionary amount, may be paid to an unqualified teacher, in the context of the staffing structure and pay policy, if it is considered that the unqualified teacher has:

(a) taken on a sustained additional responsibility which is:

(i) focused on teaching and learning; and

(ii) requires the exercise of a teachers' professional skills and judgment; or has

(b) qualifications or experience which bring added value to the role being undertaken.

Where an unqualified teacher becomes qualified the Committee will re-determine salary in accordance with the arrangements relating to qualified teachers in accordance with Paragraph 13 of the Document. The salary paid must be at least equivalent to that paid prior to qualification, while the teacher remains employed at the same school.

vi) Early Years Teachers (EYTs)

EYTs with QTS will be paid on the qualified teachers scale. EYTs without QTS will be paid on the Unqualified Teachers' Pay Scale.

It is advised that any allowance paid to an unqualified teacher is related to the difference between their existing pay point and a recognised point on the school's Qualified Teachers Pay Scale.

This is the NYCC recommendation following advice from the Local Government Employers Association.

8. Part-Time Teachers

The proportion of time a part-time teacher works is calculated against the school's timetabled teaching week (STTW). The STTW refers to the school session hours that are timetabled for teaching, including PPA time and other non-contact time but excluding;

- break times
- registration; and
- assemblies

The STTW of a full-time classroom teacher is used as the figure for calculating the percentage of the STTW for a part-time teacher at the school. The same percentage will be applied to the proportion of directed time required of a part-time teacher.

Where an allowance is paid to a teacher, the same percentage of the full-time allowance will be payable.

A part-time teacher may be requested (but not required) to voluntarily work on a day or part of a day they do not normally work and, if agreed, a pro rata additional payment should be made, or time off in lieu agreed, where appropriate.

Full guidance on calculating the remuneration of part-time teachers is to be found in Section 3 of the Document, paragraphs 70-72.

Requests to attend meetings e.g. staff meetings (as part of directed time) on days on which a part-time teacher does not normally work should be kept to a minimum, made as far in advance as possible and should be a matter of agreement between the teacher and school management.

9. Teachers Employed on a Short Notice Basis

Teachers employed on a day-to-day or other short notice basis will be paid in accordance with the provisions of the Document 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 this school supply teachers will normally be paid on the Main Pay Scale

It is recommended that where schools have existing regular supply teachers they continue to be paid on current arrangements. Schools can set a maximum payment for supply teachers and NYCC recommends the approach opposite, which honours pay portability up to the maximum of MPS.

10. Other Provisions Relating to Teachers

All types and grades of teachers, **excluding** Headteachers and other members of the Leadership Group, are eligible to be considered for the payments detailed below: -

Please also see Section 7(1) above in relation to additional payments for Headteachers.

Recruitment and Retention Incentives and Benefits

Such incentive allowances may be awarded by the Committee only to aid the recruitment and/or retention of teachers. The Committee will determine whether an annual allowance will be paid with monthly salary or as a lump sum at the end of a fixed period.

The governing body should make clear at the outset the expected duration of any such incentives and benefits, and the review date after which they may be withdrawn.

Where a teacher is given an incentive or benefit under paragraph 27 of the Document, written notification given at the time of the award should state:

- whether the award is for recruitment or retention;
- the nature of the award
- the amount of the award
- when/how it will be paid (as applicable);
- unless it is a 'one-off' award, the start date and duration of the incentive
- the basis for any reviews which will be applied
- the basis for any repayment should an individual leave the school

Schools may make payments or provide financial assistance or benefits to aid recruitment or retention. An advance of salary for a rental deposit is one of a number of tools that schools may wish to consider as an incentive for the recruitment of new teachers and the retention of service of existing teachers. Other examples of assistance are transport season ticket loans for travel costs, a one-off payment such as a contribution to removal costs, or a time-limited allowance.

All types and grades of teachers, **excluding** Headteachers are eligible to be considered for the payments detailed below: -

It is expected that Recruitment Payments will be made to attract candidates to 'hard to fill posts' and Retention Payments will be made where posts suffer from high turnover due to the easy availability of comparable posts. In order to justify such payments it is recommended that objective data is kept which supports the need for Recruitment and/or Retention Allowances.

It is recommended that Retention Allowances are made for a fixed period and reviewed on an annual basis.

Continuing Professional Development

For any CPD activities taking place at weekends or during school holidays the Committee will give consideration to payment, consistent with the teachers' pay spine position, in the individual circumstances of the case. No additional payment will be made for such activities which take place within the defined working year.

Initial Teacher Training Activities

Consideration will be given to payment for activities related to providing routine initial teacher training activities in accordance with the provisions of the Document.

Payment for Out of School Hours Learning Activity

Consideration will be given to payment for involvement in out of school hours learning activities which fall outside a teacher's directed time. Examples of such activities may include homework clubs, summer schools and sporting activities. All such activities should require the exercise of a teacher's professional skills or judgement.

In each of the above three categories payment will usually be made at the teacher's normal hourly rate.

Additional Responsibilities

Additional responsibilities and activities due to, or in respect of, the provision of services by the Headteacher relating to the raising of educational standards to one or more additional schools.

Payment for Work undertaken for other Institutions

The school/college will abide by the following Operating Principles:

- a. Any services provided by the Headteacher (or other staff

The need to maintain a satisfactory work-life balance must be recognised and it should therefore be accepted that some teachers will be unable or unwilling to undertake CPD and Out of School Hours Learning Activities outside directed time.

Consideration should be given to the remuneration of other teachers who as a result of the Headteacher's additional role are taking on additional responsibilities and activities. This will be based on any additional responsibilities attached to the post (not the teacher), which should be recorded. Any increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the Headteacher's enlarged role, it is not automatic, and should be in line with the provisions of the Document.

member) of one school to another school must be authorised formally by the Governing Body and where the work extends over more than a 12 month period, the agreement of the governing body must be formally reviewed annually, or sooner if appropriate. The Governing Body should also agree arrangements for terminating such work.

b. Before such work is undertaken, the Governing Body and the Headteacher must take into account:

- the needs of the school and its pupils;
- the benefits that the activity would bring to the school;
- the impact of any absence on other staff, including their workload; and
- the workload and work-life balance of all the individuals concerned.

c. In particular, before reaching a view the governing body should satisfy itself that these matters have been fully considered within the school's leadership team.

d. Arrangements for payment for external work, including personal remuneration, must be clearly stated and formally incorporated into a protocol by the governing body (or the finance committee) and decisions duly minuted.

e. The headteacher and governing body should monitor the operation of the arrangements and their impact on staff and pupils and take action where arrangements prove to be unsatisfactory.

f. The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the Governing Body. The terms of such an agreement must be

Where the arrangement for the Headteacher is temporary, any adjustment to the pay of other teachers is also temporary, and safeguarding provisions will not apply when the arrangements cease. The Governing Body should consider the appropriate use of acting allowances and other temporary payments. Where there is a Deputy Head in the school, it may be more appropriate to temporarily increase his or her pay range to take account of the increased responsibilities in the absence of the Headteacher.

Committees will wish to consider such factors as:

- *whether additional total working time is involved*
- *whether the school needs to pay for cover arrangements*
- *whether the individual receives any payment from the other institution*
- *whether the school receives any payment from the other institution*
- *whether the individual is undertaking the work primarily for career advancement purposes and/or whether it benefits the school*

Committees should consider the answers to the questions posed above when making a judgement.

set out in a memorandum signed by the Chair of Governors and the Headteacher and any other members of staff involved.

- g. Any income derived from external sources for the work of a school's staff should accrue to the school. The Governing Body should decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities, and if so, determine the appropriate amount.
- h. The Governing Body should ensure that any expenses incurred by the individual as a result of taking on additional work are reimbursed, unless they are accounted for elsewhere

Newly Qualified Teachers Advanced Payment

NYCC offers a NQT Advanced Payment scheme to Schools giving the option to allow an advance payment to Newly Qualified Teachers starting employment in September 2018 with a minimum contract of 12 months. The advance would be for the value of £900 which is recovered from the teacher's salary over twelve months at £75 per month. (This will be pro-rata basis for part time teachers).

Unpaid leave for Teachers

In line with the Conditions of Service for Teachers in England and Wales (Burgundy Book), where authorised unpaid leave or unauthorised unpaid leave (e.g. strike action) occurs deductions of salary shall be calculated at a daily or part daily rate based on the days salary being 1/365th of a year for each day of the period of absence

11. Support Staff

Individual schools may determine to opt in or out of this scheme. Schools that opt out should remove this paragraph from their pay policies

Unpaid leave will be calculated as follows:

(hourly rate x hours taken off) x by 0.53 (195/365) = amount to be deducted

This calculation should be used for both full and part time teachers

Support staff will be appointed to a post covered by the appropriate LA scheme of conditions of service and be allocated to a pay band from the scales contained within those conditions, in compliance with the established NYCC job evaluation scheme. Each post will have a designated job description and pay band. The pay band allocation will normally remain static, other than for annual incremental rises within it, unless a significant increase in the duties and responsibilities attached to the post takes place. Other payments, such as lettings fees, will be payable in line with the appropriate national or LA agreements.

Applications for re-grading will be dealt with under the NYCC Job Evaluation scheme.

The school recognises the grading scheme introduced by the Authority in April 2007 through the NJC and Hay job evaluation systems. The school will adhere to this grading structure for support staff and will grade new/changed posts accordingly through the NYCC process.

Increments

For support staff who have not yet reached the top of their grades, incremental progression will not be automatic.

Support staff will not receive increments if their manager considers their performance in the previous year was not satisfactory, taking into account identified conduct or capability issues and appraisal outcome.

Additionally, support staff will also not receive an increment if their sickness absence exceeds stated limits:

<u>Period</u>	<u>Max days in year</u>	<u>3 yr total limit</u>
01.04.18 – 31.03.19	7	21

Schools should refer to the NJC National Agreement (Green Book) and NYCC pay policy and guidance for support staff terms (available on the CYPS info site).

*Schools' nominated Human Resources Advisers are available to advise on grading issues. It should be borne in mind that the key issue in grading posts is **level of responsibility** of work and **not** volume of work. A clear up to date job description and person specification are essential requirements of grading posts.*

For full details of the scheme please see the Document 'Increments Policy – School Support Staff Only'.

Only if the maximum sickness absence is exceeded for the current review period, then the 3-year total will be considered (current year plus previous 2 years).

Taking into account performance against the stated criteria, those at the top of the pay band who do not meet the criteria as outlined for increments will have their pay reduced by one spinal column point only. Staff with headroom within the pay band will continue to have their increments withheld. If an increment has been removed the employee is then eligible the following year for an increment subject to meeting the criteria.

Increments will not be granted where staff do not meet the above criteria. However, exceptions will be considered for:

- One-off absence of normally **not more** than three months where the individual has an otherwise excellent attendance record.
- Staff whose illness prevents them from attending their usual place of work and whose offer to work in a different capacity / location is unable to be accommodated by their manager.
- Where an individual is injured in the course of their duties this may be taken into consideration or where the sickness absence is work related consideration may be given to it being exempt.
- Disability Related Sickness Absence

If the cause of sickness absence was related to pregnancy then this must not be taken into account in the employee's sickness absence total figure for assessment against the target figures.

Recruitment and Retention Payments

Schools may choose to issue a pay statement to Support Staff following the increments review process each April.

Where posts are difficult to fill or staff turnover is particularly high it may be appropriate to introduce a Recruitment and/or Retention Payment.

Recruitment Payment – is a one-off discretionary payment of up to 10% of annual salary, payable upon commencement of employment. This payment is not available to existing staff or previous staff who re-commence employment within six months of leaving. An employee who leaves during their Probationary Period will be required to repay the full Recruitment Payment. An employee who leaves within two years will be required to repay 1/24 of the Recruitment Payment for each month not completed up to two years' service.

Retention Payment – is a discretionary payment of an amount paid at set intervals, subject to satisfactory performance, but not less than quarterly. Payments may be set at between 3% and 8% of annual salary and should be reviewed at regular (at least annual) intervals in line with market conditions. Retention Payments are not permanent and may be ended or amended by the giving of one month's notice.

Other Pay and Reward Matters for Support Staff

A number of pay and reward issues relating to support staff are contained in the Green Book and the NYCC pay policy and guidance for support staff.

These include the following premium payments:

Night Work, Stand By, On Call, Sleeping-in Duty, Weekend Working, Work on Public Holidays.

The school recognises the NYCC single status agreements and will make premium payments accordingly.

Overtime is paid at flat rate.

Recruitment and Retention Payments should only be made where the decision is supported by objective data on recruitment statistics, staff turnover and the local labour market.

There are a small number of other payments in the single status agreements which are discretionary for schools – such as Additional Contribution Payments, Thank You Payments and Long Service Awards.

Schools need to decide individually whether they wish to participate in these schemes. Details are contained in the documents listed in section 2 and advice is also available from HR Advisers.

Schools may choose to implement the unpaid leave provisions where there is no cover required or the cost of cover is less than the savings made from the unpaid leave. Where term-time only support staff are concerned, schools should carefully consider if and how the unpaid leave could be taken within term-time without incurring comparable costs.

12. Additional Matters

Members of Staff Temporarily Undertaking the Duties of More Senior Posts

Members of staff who agree to cover all of the duties associated with a post of a higher grade than their own for a temporary period of normally at least four working weeks will be paid an additional sum. This will be equivalent to the difference between their normal salary and the salary or a point on the salary range of the more senior post for as long as the temporary acting-up arrangements apply, backdated to the start of the period of cover. The pay of support staff who undertake a part of the duties of a more senior post for a temporary period of at least four weeks may be awarded a pro-rata sum, if the particular circumstances of the case make this appropriate in the view of the Committee.

An employee appointed to cover a temporary vacancy, e.g. an Acting Headteacher, will be paid at a point on the pay range of the vacant post.

Payments for Residential Staff

These will be made in line with the provisions of the appropriate national or LA scheme of conditions of service.

Salary Sacrifice Arrangements

The school will allow teachers to participate in salary sacrifice schemes which are permitted under Paragraph 28 of the Document and available through the Local Authority. It will also allow support staff to access salary sacrifice schemes available through the Local Authority. The salary sacrifice provisions in place for teachers are currently limited by national regulations to:

- Childcare vouchers/childcare benefit schemes

No pressure, direct or indirect, will be placed on teachers to act up where such acting up is voluntary on their part.

Governing Bodies may seek guidance from HR if considering acting up duties.

Governing Bodies should ensure that any relevant information about Salary Sacrifice Schemes is made available to staff at their schools, to enable the staff to decide whether or not salary sacrifice is an appropriate option. Participation in salary sacrifice is voluntary on the part of staff.

Note that Childcare Vouchers will be closed to new members from

<ul style="list-style-type: none"> • Cycle or cyclists safety equipment scheme • Mobile phone scheme (not currently being run at NYCC) <p>Participation in any salary sacrifice arrangement shall have no effect upon the determination of any safeguarded sum to which a teacher may be entitled under any provision of the Document.</p>	<p><i>October 2018 - orders would need to be in place by the close of payroll processing on 10 September 2018.</i></p>
<p>12. <u>Pay Hearings and Appeals (Teaching staff)</u></p> <p>Teachers, including headteachers, may appeal any determination in relation to their pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects their pay.</p> <p>The following list includes the usual reasons for seeking a review of a pay determination;</p> <p>That the person or committee by whom the decision was made –</p> <ol style="list-style-type: none"> incorrectly applied any provision of the Document or School Pay Policy; failed to have proper regard for statutory guidance; failed to take proper account of relevant evidence; took account of irrelevant or inaccurate evidence; was biased; or unlawfully discriminated against the employee. <p>A key aspect of the process is the opportunity for a teacher to discuss a pay recommendation prior to it being confirmed by the governing body. This stage in the process will help to ensure that pay decisions and pay policies are seen as transparent and fair. The opportunity to discuss a pay decision may mitigate the need for the more formal stages two and three.</p> <p>The procedure is as follows:</p>	<p><i>Appeals against pay decisions should be dealt with promptly, fairly and consistently in line with equalities and other relevant legislation including the STP&CD.</i></p> <p><i>It is important that you are clear from the outset of the appraisal process who will make recommendations in relation to pay decisions and who will make the pay determination as this cannot be the same person. If the Headteacher is involved in stage 1, they must make a recommendation to a pay committee and representation would be to this same committee (see also ‘Pay Progression’ on p.19).</i></p> <p><i>It is important that Representation hearings and Appeals focus as much as possible on objective evidence. While such issues can tend to become emotive and necessarily involve judgements it is wise to separate opinion from the facts wherever possible.</i></p> <p><i>Governors will need to be satisfied that due process has been followed and that no illegal discrimination has taken place. They will need to be assured that all relevant evidence was taken into account and that no undue bias was shown. Governors do not necessarily need to feel that the decision was one that they would personally have taken in the circumstances but will need to be sure that the decision was within the bounds of reasonableness.</i></p> <p><i>HR advice is available in relation to both specific cases and general information in the Hearings and Appeals procedure.</i></p> <p><i>DfE advice and possible pay panel hearing procedures can be found here: Managing pay appeals</i></p>

Stage 1 – Informal discussion with the appraiser or headteacher prior to confirmation of pay recommendation (see above)

1. The employee receives confirmation of the proposed pay recommendation in a timely manner, usually within 10 working days and where applicable the basis on which the recommendation will be made.
2. If the employee is not satisfied, they should seek to resolve this by discussing the matter informally with the appraiser or headteacher within five working days of receipt of the recommendation and before it is put forward to the person or governors committee who will make the pay determination.
2. If the employee is still not satisfied after informally discussing the recommendation with the appraiser or headteacher, then the appraiser or headteacher should summarise the rationale as to why the employee does not agree with the recommendation and this should be considered by the person or governors pay committee prior to making their determination

Stage 2 – Formal Representation Hearing to the person or governors' committee who made the pay determination

1. If, having gone through stage 1, the teacher believes that an incorrect determination has been made, he/she may make representation to the person (or governors' committee) who made the decision. To begin the process, the employee should submit a formal written statement to the person (or governors' committee) making the determination, setting down in writing the grounds for not agreeing with the pay determination. This should be done within 10 working days of receiving confirmation of the pay determination.
2. The teacher should be given the opportunity to make representations at a formal hearing with the person (or governors committee) who made the pay determination. The outcome of this

Template outcome letters for stage 2 and 3 hearing can be found here: [Letters](#)

A flow chart for the hearing and appeal process can be found at appendix C

hearing will then be communicated to the teacher in writing within 10 working days. The employee will be informed that they may be accompanied by a trade union representative or work colleague at the hearing. Having heard the representation, the person or committee must reach a decision, which it must relay to the employee in writing, including the rationale for reaching the decision. The employee should be notified of their right of appeal if necessary.

Stage 3 – Formal Appeal Hearing

1. If the employee continues to be dissatisfied with the pay determination following the representation hearing, they should set out in writing the grounds for appealing the determination and should send it to the Chair of the appeal committee or headteacher within 10 working days of receipt of the written outcome of the stage 2 decision
2. Any appeal should be heard by a panel of governors (minimum two but recommend three) who were not involved in the original determination normally within 20 working days of the receipt of the written appeal notification, where possible.
3. Having heard the appeal, the panel must reach a decision, which it must relay to the teacher in writing within 10 working days, including the rationale for reaching the decision. This decision will be final and there is no recourse to the general staff grievance procedure.

13. Monitoring of the Policy

The Governing Body, through its Pay Committee, will monitor the effectiveness of this policy including the outcome of pay decisions to ensure the school's compliance with equalities legislation.

It is important that the rationale for all pay decisions is clearly and confidentially minuted by the Committee.

Appendix A – Guidance on Pay Progression Decisions

The awarding of two incremental points for members of the Leadership Group, Main Pay and Upper Pay Scale Teachers and Leading Practitioners

Leadership Group

A Headteacher/Deputy/Assistant Head may be awarded one or two additional points within the Headteachers' Pay Range or individual pay range if they have demonstrated a sustained high quality of performance, having regard to the results of their most recent appraisal review and any pay recommendations arising therefrom.

The possibility of awarding two additional points raises the question of what standard of performance would justify the maximum award?

There is no guidance in the STPC&D but the following pointers may be considered:

- *Have they met the National Professional Standards in every respect and excelled in relation to particular Standards?*
- *Have they met or exceeded their performance targets while at the same time achieving an excellent level of overall performance?*
- *Is there clear evidence of their impact in terms of pupil outcomes? For example, have rigorous measurable outcomes for pupils (and/or staff and the wider school community) in the School Improvement Plan been fully achieved or exceeded?*
- *Has the school been judged 'outstanding' by Ofsted and/or 'highly effective' by the Local Authority?*

Main Pay and Upper Pay Scale Teachers

It is recommended that the pay progression for main pay scale teachers is addressed in the following manner: -

*A performance which **meets requirements** will receive a one-point increase within the pay scale, if headroom allows.*

*A performance which **fails to meet requirements** will not receive an increase.*

Schools may also consider recognising excellent performance in the following terms but should be aware of the need to have sound objective evidence to justify differentiated pay progression:

*A performance which **significantly exceeds requirements** will receive a two-point increase within the pay scale, if headroom allows.*

In addition, schools may wish to insert one or more of the following policy statements: -

1. *Teachers will not receive pay progression if their performance in the previous year did not meet requirements, taking into account identified conduct or capability issues and appraisal outcome.*

If a period of warning/under-performance crosses two appraisal years pay progression would be withheld only once (in the first year) provided that conduct/performance was acceptable in the remainder of the second year.

Schools may wish to consider adding the attendance criteria below to bring teachers in line with support staff. However, this element is at particular variance with the Professional Associations stance and may therefore be robustly challenged.

2. *Additionally, teachers will also not receive an increment if their sickness absence exceeds stated limits:*

Period Max days in year 3 yr total limit

01.09.18– 31.08.19	7	21
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Only if the maximum sickness absence is exceeded for the current period then the 3-year total will be considered (current year plus previous 2 years).

In relation to the awarding of a two point increase we suggest that the following questions be considered:

- *Have they excelled in relation to the Teachers' Standards?*
- *Have they met or exceeded their performance objectives while at the same time achieving an excellent level of overall performance?*
- *Is there clear evidence of their impact in terms of pupil outcomes? For example, have the majority of pupils they taught made progress that is above expectation based on prior attainment?*

Upper Pay Scale

Teachers will be assessed in accordance with the school's performance management policy to determine whether their contribution to the school has been **substantial and sustained** in addition to meeting the criteria for main pay scale teachers stated above.

*A performance which **significantly exceeds requirements** will receive a two-point increase within the pay scale, if headroom allows.*

*'**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; and*

'sustained' means - maintained continuously over a period of at least two school years. They will be able to demonstrate that their teaching expertise has grown over the relevant period and is consistently at least good.

Leading Practitioners (LPs)

An LP may be awarded one or two additional points within their individual pay range if they have demonstrated a sustained high quality of performance, having regard to the results of the most recent appraisal review and any pay recommendations arising therefrom.

The possibility of awarding two additional points raises the question of what standard of performance would justify the maximum award?

There is no guidance in the STPC&D but the following pointers may be considered:

- *Has the LP completed outreach work - or planning for outreach - for at least 90% of the time available for this purpose?**
- *Has the outreach work received consistently excellent evaluations?**
- *Has the LP successfully undertaken a strategic leadership role?*
- *Is there evidence of highly successful outcomes for teachers and pupils as a result of the LPs interventions?*

** If outreach work is part of the responsibilities of the post*

Schools should be aware of the need to apply consistent judgements to the evidence.

Appendix B

Template Pay Statements

It is a requirement of the School Teachers' Pay and Conditions Document that all teachers are issued with an annual pay statement from 01 September and whenever a change is made to salaries at any other time. Pay statements to be issued within one month of any change in salary.

Schools may also choose to issue pay statements to Support Staff. It is suggested that this is done following the incremental review each April.

Templates for each type of pay statement follow:

Appendix B 1 - Leadership Group

Appendix B 2 - Leading Practitioner

Appendix B 3 - Main scale and Upper Pay scale teachers

Appendix B 4 - Unqualified Teachers

Appendix B 5 - Support Staff

Appendix B1

Annual Salary Statement – Leadership Group Teacher

Name.....

School.....

Job Title.....

Effective Date.....

Salary Point as at 31/08/18 L.....

School Group.....

Salary Range as at 01/09/18 L.....to L.....

Headteachers only - If the range is above the school group range give reasons and whether additional payment is permanent or temporary. If temporary, state end date

.....

.....

Number of Performance Points Awarded (if any) from 01/09/18.....

New Salary Point from 01/09/18 L.....

Annual Salary value on range from 01/09/18 £.....

Recruitment or Retention Incentives and Benefits (if any) (not applicable to Headteachers)

Type of award: Recruitment.....Retention.....

Annual Amount of Payment £.....

Other Benefit

End Date of award.....

Salary Safeguarding (if any)

Type of Safeguarding

Annual Safeguarded sum £.....

Date Safeguarding introduced.....

Latest date Safeguarding will end.....

Total inclusive annual salary £.....

Information on the safeguarding rules may be found at [Teachers Pay](#)

The school's staffing structure and pay policy may be inspected at

.....

Signed on behalf of the Governing Body.....

Name.....Date.....

Appendix B2

Annual Salary Statement – Leading Practitioner

Name.....

School.....

Effective Date.....

Salary Point as at 31/08/18 LP.....

Salary Range as at 01/09/18 LP.....to LP.....

Number of Performance Points Awarded (if any) from 01/09/18

New Salary Point from 01/09/18 LP.....

Annual Salary value on range from 01/09/18 £.....

Recruitment or Retention Incentives and Benefits (if any)

Type of award: Recruitment.....Retention.....

Annual Amount of Payment £.....

Other Benefit

.....

End Date of award.....

Salary Safeguarding (if any)

Type of Safeguarding.....

Annual Safeguarded sum £.....

Date Safeguarding introduced.....

Latest date Safeguarding will end.....

Total inclusive annual salary £.....

Information on the safeguarding rules may be found at [Teachers Pay](#)

The school's staffing structure and pay policy may be inspected at

.....

Signed on behalf of the Governing Body.....

Name.....Date.....

Appendix B 3

Annual Salary Statement – Qualified Teacher

Name.....

School.....

Effective Date.....

Salary Point as at 31/08/18 MPR.....or UPR.....

Number of Performance Points Awarded from 01/09/18 MPR.....or UPR.....

New Salary Point from 01/09/18 MPR.....or UPR.....

Annual Salary value on range from 01/09/18 £.....

Allowances (if any)

SEN Amount £.....

TLR 1 or 2 Level.....Amount £.....

Nature of the significant responsibility for which TLR was awarded (complete, or attach a copy of the Job Description)

.....

If TLR is paid for temporarily occupying the post of an absent colleague, the date or circumstances in which the TLR payment will come to an end

.....

TLR3 Payment Amount £.....

Reason for temporary award

.....

End Date of TLR3 Payment

Recruitment or Retention Incentives and Benefits (if any)

Type of award: Recruitment.....Retention.....

Annual Amount of Payment £.....

Other Benefit

End Date of award.....

Salary Safeguarding (if any)

Type of Safeguarding.....

Annual Safeguarded sum £.....

Date Safeguarding introduced.....

Latest date Safeguarding will end.....

Total inclusive annual salary £.....

Information on the safeguarding rules may be found at [Teachers Pay](#)

The school's staffing structure and pay policy may be inspected at

.....

Signed on behalf of the Governing Body.....

Name.....Date.....

Name.....

School.....

Effective Date.....

Salary Point as at 31/08/18 UQT.....

Number of Performance Points Awarded from 01/09/17 (if any) UQT.....

New Salary Point from 01/09/18 UQT.....

Annual Salary value on range from 01/09/18 £.....

UQT Allowances (if any)

Amount £.....

Nature of the significant responsibility, experience or skills for which UQT Allowance was awarded (complete, or attach a copy of the Job Description)

.....

Salary Safeguarding (if any)

Type of Safeguarding.....

Annual Safeguarded sum £.....

Date Safeguarding introduced.....

Latest date Safeguarding will end.....

Total inclusive annual salary £.....

Information on the safeguarding rules may be found at [Teachers Pay](#)

The school's staffing structure and pay policy may be inspected at

.....

Signed on behalf of the Governing Body.....

Name.....Date.....

Name.....

School.....

Post.....

Effective Date.....

Pay Band as at 31/03/19.....Pay Point as at 31/03/19.....

Number of Performance Points Awarded from 01/04/19 (if any).....

Has a performance point been removed? Yes/No.....

New Salary Point from 01/04/19.....

Annual Salary value on scale from 01/04/19 £.....

Merit/Incentive Payments (if any)

Amount £.....

Nature of and reason for the merit/Incentive payment with end date if applicable

.....
.....

Salary Safeguarding (if any)

Reason for Safeguarding.....

.....

Annual Safeguarded sum £.....
Date Safeguarding introduced.....
Latest date Safeguarding will end.....

Retention Payment (if any)

Amount £.....
Reason for Retention Payment.....
.....
Review/End Date.....

Total inclusive annual salary £.....

Information on support staff pay may be found in the NYCC pay policy and guidance for support staff.
The school's staffing structure and pay policy may be inspected at

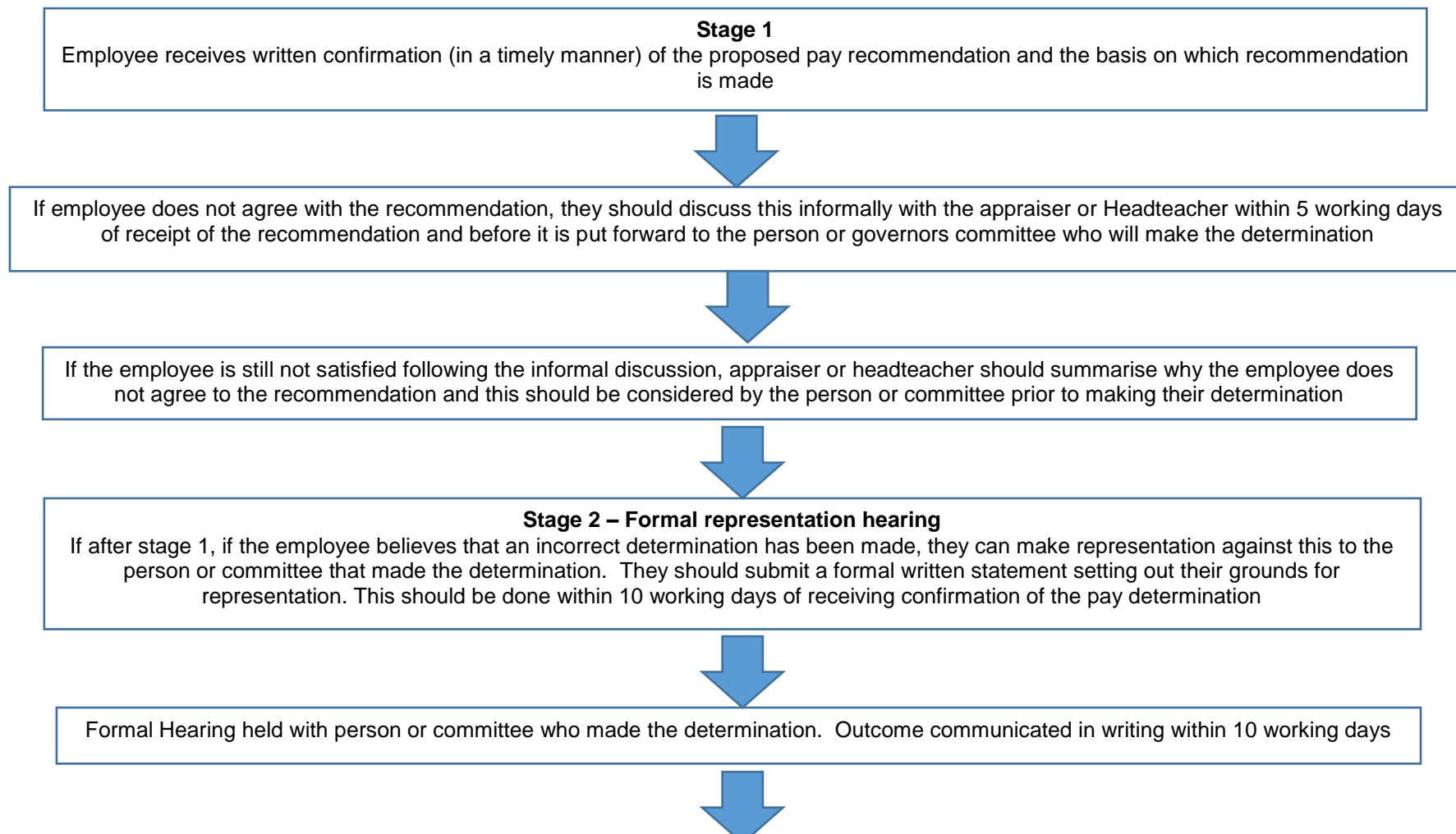
.....
Signed on behalf of the Governing Body.....
Name.....Date.....

In line with your scheme of delegation you need to be clear from the outset of the appraisal process, who will make the recommendation and who will make the determination as this cannot be the same person.

Example:

Appraiser makes recommendation, informal discussion would be with appraiser and determination would either be with Headteacher or a pay committee. If Headteacher make determination, stage 2 would also be with them.

If Headteacher makes recommendation, informal discussion would be with Headteacher and determination should be made by a governors committee, who would also deal with stage 2, if required.



Stage 3 – Appeal

If employee remains dissatisfied with pay determination, they should set out their grounds for appeal within 10 working days of the written outcome of stage 2



Appeal hearing held with panel of governors (minimum 2 but recommended 3) who were not involved in original determination. Hearing should normally be arranged within 20 working days of receipt of the request to appeal.



Appeal panel reach decision following hearing which is confirmed in writing (within 10 working days) and should include a rationale for reaching their decision. The decision is final and there is no recourse under a separate policy