

SALARY POLICY

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DEFINITIONS

The following terms shall have the following meanings for the purposes of this document: -

the School means Clifton All Saints Academy

the Borough means Bedford Borough

the Committeemeans the Finance and Management Committee **the Document**means the Teachers' Pay and Conditions Document

AST means Advanced Skills Teacher

DfE means Department for Education

HR means Human Resources
ISR means Individual School Range

SEND means Special Educational Needs and Disability

TLR(s) means Teaching Learning Responsibility/Responsibilities

TLR1 means Teaching and Learning Responsibility1
TLR2 means Teaching & Learning Responsibility2
TLR3 means Teaching & Learning Responsibility3

UPS1 means Upper Pay Scale 1

1. INTRODUCTION

The Governing Body of the School has prepared a policy in respect of pay which recognises the following constraints:

- a. The requirements of the Document
- b. The School's delegated budget
- c. The current staffing structure of the School
- d. The Employment Relations Act 1999, the Equality Act 2010, the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed Term Employees (Prevention of Less Favourable Treatment Regulations) 2002 and the standards for openness and objectivity in public life.

2. BACKGROUND

- 2.1 The Governing Body of the School will operate a policy in respect of its responsibilities as the "relevant body" as defined in the Document (and any relevant conditions of service) which will
 - a. Grade posts appropriately within the conditions of employment identified within the Document and any other relevant conditions of service.
 - b. Take into account pay relativities between posts within the School.
 - c. The award of teaching and learning responsibility payments, allowances for special needs and incentives for recruitment and retention will be exercised in a fair and equitable manner.

- d. Take into account the outcome of appraisal reviews when reviewing the pay of all staff, including head, deputy and assistant headteachers and threshold applications.
- e. Give recognition to assigned increased responsibility whether on a temporary or a permanent basis.
- f. Take into account, so far as is practicable, pay levels in other schools, both inside and outside the Borough, particularly those of a similar type and in a similar neighbourhood.
- g. Ensure that a review of the pay of all teachers in the School takes place within the first half of the Autumn term of each year, in line with the appraisal cycle with any pay increases backdated to 1st September of that year.
- h. Operate on a whole school approach so that the pay of no one individual employee is considered in isolation.
- 2.2 This policy statement will be subject to annual review and consultation with the staff of the School and recognised representatives of the professional associations. Staff will receive a statement setting out their pay position by the end of the Autumn term in each academic year. The timetable for the annual review of staff pay will ensure that information regarding appraisal review outcomes, in accordance with the appraisal policy of the School, can be taken into account.
- 2.3 Having determined the policies named in this policy, the Governing Body delegates the management of the policy to the Committee in consultation with the Headteacher. (Note: The Committee will have regard to the School Governors (Constitution and Proceedings) Regulations 2003 in respect of any Governors who may have a pecuniary interest in the matters to be discussed. In respect of performance management reviews for Headteachers it should be noted that Governors who are also members of staff at the School are excluded from the process). The Headteacher will report to the Committee on those occasions when it may be necessary to exercise delegated responsibility in respect of the discretionary elements of the Document (or other relevant conditions of service).
- 2.4 In exercising their delegated responsibilities, the Governing Body require the Committee to have appropriate regard to the budget approved by the Governing Body and the requirements of employment legislation, particularly the Equal Pay Act and the Equal Opportunities Policy adopted by the Governors. The Governing Body expects the Committee to seek advice from the School's HR advisers where appropriate.
- 2.5 Any grievance arising out of this policy will be dealt with under the pay appeals procedure adopted by the Governing Body. An appeal should be registered within ten days of receiving notification of the annual pay review.

3. STARTING SALARY OF NEW APPOINTMENTS

- 3.1 The Governing Body will assess pay in accordance with the relevant Document¹. The starting salary for new entrants to the main pay scale without previous teaching or relevant industrial, professional or research experience will be at the minimum level of the main pay scale.
- 3.2 Where the new entrant to the profession has relevant experience considered to be of value in the performance of the teacher's duties and previous teaching service Where the new entrant

¹ Note: 2020 DOCUMENT – Paragraph 13.1 "A teacher on the main pay range must be paid such salary within the minimum and maximum of the main pay range as shown as the relevant body determines."

- to the profession has relevant experience considered to be then additional remuneration may be awarded by reference to paragraph 3.1.
- 3.3 The Governors will continue to seek the assistance of the School's HR advisers to verify teachers' qualifications and previous experience for salary purposes.
- 3.5 Qualified teachers taking up a new appointment or who re-enter teaching after a break in service will be assessed in accordance with paragraphs 3.1 to 3.3 above. This calculation will be carried out whether the teacher was previously employed on a regular full-time, part-time, or occasional supply basis. Where the Governing Body appoints a classroom teacher who was last employed as a headteacher or a deputy, then the teacher must be paid on the first point of the upper pay spine if full-time and at the maximum level of the Main Pay Scale if part-time.

4. THE UPPER PAY SCALE

- 4.1 Any qualified teacher may apply to be paid on the upper pay scale and applications will be assessed in accordance with this policy. It is the responsibility of each teacher to decide whether they wish to apply to be paid on the upper pay scale. Application can be made once each academic year. Applications to take effect on 1st September must be submitted by the previous 30th June.
- 4.2 Applications must include the outcome of the two most recent appraisal reviews including information relating to any recommendation on pay (where the teacher was eligible). The application must include the evidence from the two most recent appraisal reviews and made on the relevant proforma. Application forms must be submitted to the Headteacher.
- 4.3 An application from a qualified teacher will be successful when the Governing Body is satisfied that:
 - a. the teacher is highly competent in all elements of the relevant standards; and
 - b. the teacher's achievements and contribution to the School are substantial and sustained.

For the purpose of this pay policy:

- "highly competent" means one or more of
 - o coaching and mentoring to other teachers;
 - o giving teachers' advice
 - the ability to demonstrate effective teaching practice
 - assist colleagues to make a wider contribution to the work of the School
 - assist colleagues to achieve the relevant standards and develop their teaching practice.
- "Substantial" means one or more of:
 - o matters of validity and value to the School
 - o playing a key part in the life of the School
 - a distinctive contribution to raising pupil achievement
 - professional development used effectively to improve the learning of pupils.
- "Sustained" means continuously maintained over a minimum of two school years.

The assessment will normally be made within 15 working days of receiving the application. When successful, the teacher will move to the upper pay scale on 1st September and start at UPS1. Where the application is unsuccessful the teacher will receive feedback from the Headteacher (or other relevant senior colleague) normally within 5 working days. The teacher has 15 working days in which to submit an appeal from the receipt of the written feedback. Appeals will be heard in accordance with the Pay Appeal Policy.

5. TEACHING AND LEARNING RESPONSIBILITY PAYMENTS

- 5.1 The Governing Body will award teaching and learning responsibility payments to classroom teachers undertaking sustained additional responsibility in the context of the School's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning. Before awarding a TLR2 the Governing Body will be satisfied that the teacher's duties include a significant responsibility for which he/she is accountable, which is not required of all classroom teachers and that:
 - a. Is focused on teaching and learning;
 - b. requires the exercise of a teacher's skill 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.
- 5.2 Before awarding a TLR1 the Governing Body will, in addition, be satisfied that the significant responsibility referred to in 5.1 above includes the line management responsibility for a significant number of people.
- 5.3 The Governing Body will award TLRs in accordance with the current staffing structure. The responsibilities which warrant the award of TLRs is clearly set out in the job descriptions for each post.
- 5.4 The Governing Body recognises that where more than one TLR is awarded in a particular range then the differential between the two awards must be a minimum of £1,500.
- 5.5 Temporary TLRs will be awarded where a teacher is appointed to cover a different post in the staffing structure to which a TLR payment is attached (for example, to cover maternity or sick leave or where there is a vacancy pending a permanent appointment). The period for award of a temporary TLR will be set out in the pay statement given to the teacher.
- 5.6 A TLR awarded to a part time teacher will be paid pro rata at the same proportion as the teacher's part time contract.
- The Governing Body may award a teacher a TLR3 (between £511 and £2,551) for a one-off time-limited responsibility agreed in advance. In determining the award, the Governors will also determine the period over which the payment is to be made. Payment will be made in equal monthly instalments.

6. RECRUITMENT AND RETENTION

- 6.1 All new payments for recruitment and retention will be made in accordance with paragraph 47 of the Document.
- 6.2 The Committee will determine:
 - the level of any award;
 - the duration of any award (and the timescale for review);
 - whether awards for retention purposes should be renewed.

Where an award is agreed the teacher will receive a letter which will indicate:

- whether the award is for recruitment or retention;
- the nature of the award (for example, cash, travel costs, housing costs etc.);
- when and how the award will be paid;
- whether it is a "one off" award and, if not, the start date and duration of the award;
- the basis of any uplifts that might be applied.
- 6.3 In considering the award of allowances for recruitment and retention, the Committee will have regard to fluctuations in the supply of suitably qualified and experienced teachers. Decisions on the allocation of allowances for recruitment and retention measures will be based on objective evidence collected during the recruitment process. The School will maintain appropriate records in this area.

7. APPRAISAL AND PAY

- 7.1 In carrying out the annual review of staff pay the Committee will consider the outcomes of appraisal reviews within the School.
- 7.2 The outcomes of appraisal will determine pay progression on the main pay scale up to the maximum level.
- 7.3 Movement on the upper spine and the lead practitioner pay spine will depend on "the performance of the post threshold teacher and his/her contribution to the School (having) been substantial and sustained." The Committee will carefully consider the recommendation of the appraiser in the context of matters such as:
 - Has the teacher maintained or exceeded threshold standards?
 - Has the teacher addressed any areas of further development identified either during consideration of the threshold application or as a result of appraisal review?
 - Has the teacher achieved or made good progress towards targets set under the Education (School Teacher Appraisal) Regulations 2012?
 - Has the teacher had a significant impact on the effectiveness of other staff?
 - Has the teacher demonstrated a significant impact on the wider outcomes for pupils?
- 7.4 The Governors recognise the need for clear, open and objective decision making with regard to appraisal. Targets will be clear, specific and measurable and rooted in evidence. Progression on the upper pay scale and the lead practitioner pay scale should be based on **two** successful appraisal reviews.

Progression from minimum to maximum on the Main Pay Scale should be based on the outcome of annual appraisal reviews. A successful appraisal review as prescribed by the appraisal regulations involves a process of:

- performance objectives;
- classroom observation (where appropriate);
- other evidence.
- 7.5 The Committee will consider the recommendations of the appraiser and satisfy itself that a proper and appropriate process has been followed in dealing with matters relating to performance pay progression in accordance with the requirements of paragraph 7.3 and 7.4 of this policy.
- 7.6 The process must be subject to review throughout the year in order that targets can be amended as appropriate to reflect external and unforeseen pressures as the appraisal review cycle progresses. The pay scales for classroom teachers, upper pay spine teachers and lead practitioners are available on request.
- 7.7 The pay progression of the Headteacher and other members of the leadership group will be considered by the Committee in the light of the performance criteria agreed as part of the appraiser process and the recommendation of the teacher's reviewer. (See paragraph 9 below).

8. SPECIAL SCHOOLS AND CLASSES

- 8.1 The Governing Body will pay SEND allowances to teaching posts that satisfy one or more of the following conditions:
 - that require a mandatory SEND qualification;
 - in special schools and in designated special classes or units;
 - involve a substantial element of working directly with children with SEND;
 - require the exercise of a teacher's professional skills and judgements in teaching children with SEND; and
 - has a greater level of involvement in the teaching of children with SEND
 - than is the normal requirement of teachers throughout the school (or unit).
- 8.2 The payments will be in the range £2,270 to £4,479.
- 8.3 The Governing Body will take into account the structure of the School's SEND provision and the following factors:
 - whether any mandatory qualifications are required for the post;
 - the qualifications or expertise of the teacher relevant to the post; or
 - the relative demands of the post.

9. THE LEADERSHIP GROUP

- 9.1 At the time of appointing a new Headteacher or Deputy Headteacher, the Governing Body (or nominated representatives) will have regard to the requirements of the Document in respect of an appropriate starting salary.
- 9.2 The Governing Body (or nominated representatives) will determine the starting salary to be paid to the Headteacher in accordance with the appropriate range for the group size of school and, the relevant ISR. Individual ranges of 5 consecutive points on the Leadership Group pay spine for Deputy and Assistant Headteachers will also be set where appropriate. The Headteacher, Deputy or Assistant Headteacher will not be paid below the starting salary on the appropriate range or ISR during the time of his or her appointment to the School. In determining the starting salary, the Governing Body (or nominated representatives) will have regard to the criteria set out in the Document.
- 9.3 When conducting the annual review of the pay of the Headteacher, Deputy or Assistant Headteacher, the Staffing Committee on Pay will take into account the performance of the member of staff against the performance criteria determined as part of the appraisal arrangements. The Committee will consider whether there has been a sustained high quality of performance. Where such performance is demonstrated the Committee recognises that the maximum movement on the spine is two points in any annual review cycle. (See also paragraph 7 above).
- 9.4 The Committee will take decisions in accordance with the principles contained within the School's policy on appraisal. The ISR for Headteachers and individual salary ranges for Deputy and Assistant Headteachers will reflect the job weight (as evidenced by the job description), and issues such as the incidents of free school meals, special needs and the ethnic background of children attending the School. The ranges will be reviewed whenever it is necessary to advertise the post, when there is a significant change in the responsibilities of the post (such as a school reorganisation) or, in the case of the Headteacher, a change of group number.
- 9.5 The remuneration paid to the Headteacher as a result of determination of the ISR will cover the Headteacher's full role as set out in Part 9 of the Document including any permanent appointment for the responsibility for more than one school (see Appendix V). The following matters no longer form part of the determination of the ISR and are dealt with as discretionary payments (see below):
 - schools causing concern;
 - difficulties filling a vacant headteacher post;
 - difficulties retaining the current headteacher; and
 - temporary appointment as a headteacher of more than one school.
- 9.6 Any discretionary payments in addition to the salary arising from the Headteacher's point on the ISR will only be made in accordance with the factors in paragraph 9.5 above (paragraph 11.5 of the Document). The total of all discretionary payments made to a Headteacher in respect of any school year must not exceed 25 percent of the amount which corresponds to that individual's point on their ISR for that year. All discretionary payments received in relation to the role as a Headteacher count towards the limit.

- 9.7 The Governing Body will have oversight of a Headteacher's entire role and any paid responsibilities attached to the role. This will ensure that the Governing Body can take a fully informed decision about the appropriate remuneration for the Headteacher and any consequential implications for the pay of other staff who may be taking on additional responsibilities in the absence of the Headteacher.
- 9.8 It will be wholly exceptional to make discretionary payments which exceed the limit of 25 percent of the amount that corresponds to the Headteacher's point on the ISR in any given year. If it is considered that there are exceptional circumstances that warrant a payment in excess of the limit the Committee must make a business case for the payment to the full Governing Body. The Governing Body is required to seek external independent advice from an appropriate person or body who can consider the provisions of the Document and whether they have been properly applied to the Headteacher's pay before making a decision on whether it is justifiable to exceed the limit in the circumstances of the particular case. There must be a clear audit trail for any advice given to the Governing Body and a full and accurate record of all decisions made by the Governing Body including the reasons for the decisions. These provisions apply from 1st September 2011. It is important to note, however, that where a relevant body has already taken into account any of the circumstances in paragraph 11.5 of the Document (see paragraph 9.5 above) when determining the ISR under a previous Document, the Governors cannot make a discretionary payment under the 2011 Document in respect of the same circumstances.
- 9.9 Where the Headteacher has been awarded a non-monetary benefit under paragraph 47 of the Document (and it is not a relocation benefit that relates solely to the personal circumstances of the Headteacher) the monetary value of the benefit counts towards the 25 percent limit.
- 9.10 Where a permanent Headteacher and Governing Body agree to take on significant additional responsibility for extended services on their site and the Headteacher is directly accountable to the Council or a Children's Trust, the Governing Body has the discretion to take this into account when setting the ISR. Any uplift in pay should be proportionate to the level of responsibility and accountability undertaken. The Governing Body will also have regard to the remuneration of other teachers who may take on additional responsibility in the absence of the Headteacher.
- 9.11 The DfE advice makes it clear however that there is a difference between "having an interest in" the quality of a service located on the School site and being "responsible and/or accountable" for that service. "Interest in" is seen as part of the Headteacher's core role and responsibilities and would not, therefore, attract a salary uplift.

10. PROVISION OF SERVICES TO OTHER SCHOOLS

10.1 Any services provided by the Headteacher 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 on an annual basis. The Governing Body will also agree arrangements for terminating such work.

- 10.2 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 the activity would bring to the School;
 - the impact of any absence on other staff, including on their workload, and
 - the workload and work life balance of all the individuals concerned.

The Governing Body will satisfy itself that the above matters have been fully considered by the School Leadership Team.

- 10.3 Arrangements for payment for external work, including any personal remuneration, must be clearly stated and formally incorporated into a protocol by the Governing Body (or the relevant committee) and all decisions minuted with reasons.
- 10.4 The Headteacher and the Governors will monitor the operation of the arrangements and their impact on staff and pupils and take appropriate action where arrangements prove to be unsatisfactory.
- 10.5 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 set out in a memorandum signed by the Chair of Governors and the Headteacher and any other members of staff involved.
- 10.6 Any income derived from external sources for the work of the School's staff should accrue to the School. The Governing Body will 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.
- 10.7 The Governing Body will ensure that any expenses incurred by the individuals as a result of taking on additional work are reimbursed (unless they are accounted for elsewhere).
- 10.8 The Committee will take into account the effect of extended school services when considering the pay of staff on the leadership group in accordance with the provisions of the Document.

11. INSET AND ITT DUTIES

- 11.1 In respect of in-service training at weekends and in school holidays, the Governors have agreed that:
 - in-service training activity at weekends or in holiday periods must be genuinely voluntary;
 - payments for such in-service training will be based on the hourly rate applicable at point
 M6 of the main pay scale;
 - these arrangements do not apply to school closure days;
 - the Committee will not penalise teachers who wish to attend a course on a Saturday if leave of absence would have been granted had the course taken place between Monday and Friday (i.e. attendance on the Saturday in such circumstances would attract an appropriate payment).

12. OUT OF SCHOOL LEARNING ACTIVITIES

- 12.1 In respect of out of school learning:
 - participation will be by agreement only;
 - the agreement will stipulate the minimum number of days or hours to be worked;
 - payment will be made for hours beyond the 1265 directed time and such other time as may be needed to enable teachers to effectively discharge their professional duties;

The Governors have determined that payment will be made at either:

- maximum of the main pay scale; or
- at the appropriate hourly rate in accordance with the upper pay spine;
 or
- on a level up to the maximum but not below the level at which the teacher is paid for their main professional duties.
- 12.2 In contracting tutors to provide 1:1 tuition the Committee recognises that since the contract will be separate to the employee's 'regular' contract then, in accordance with the Document, the Committee can exercise discretion with regard to the amount payable. In order to achieve consistency however, the Committee has decided to adopt the policy in paragraph 12.1 above.

13. LEAD PRACTITIONERS

- 13.1 The Governors may appoint a Lead Practitioner to a post on the staffing establishment of the School and will determine a range of 5 consecutive points within the relevant pay spine when advertising the post. The Lead Practitioner will normally commence duties on the lowest point within the 5-point range. In setting the range the Governors will consider the nature of the work (including any work with teachers in other schools) the scale of this challenge, any professional competencies required and any relevant recruitment considerations. The Governors will have due regard to the question of salary differentials with other classroom teachers and staff on the Leadership Group. When assimilating existing ASTs to the Lead Practitioner pay spine the Governors will consider whether to honour the existing five-point range and salary scale point.
- 13.2 Pay will be reviewed once per year against agreed performance criteria in accordance with the School's Appraisal Policy. Movement up the pay spine will be achieved on sustained high quality of performance. (See paragraph 7 above).

14. UNQUALIFIED TEACHERS

- 14.1 Salary assessments for unqualified teachers will be carried out in accordance with the principles at paragraphs 3 and 4 above. Graduate and Registered Teachers will normally start at the midpoint on the range for unqualified teachers where such teachers are engaged to fill a vacancy which would otherwise be filled by a qualified teacher.
- 14.2 The Governing Body recognises that the simplification of allowances paid to unqualified teachers specialising in teaching children with special educational needs in accordance with the 2020 Pay and Conditions Document means some unqualified teachers may be paid beyond the maximum point on the scale.

- 14.3 The Committee will pay an additional allowance to an unqualified teacher, in the context of the staffing structure, where it is considered that the unqualified teacher has:
 - a sustained additional responsibility which is focussed on teaching and learning and requires the exercise of a teacher's professional skill and judgement; or
 - qualifications or experience which bring added value to the role he or she is undertaking.
- 14.4 Those beginning work as unqualified teachers with effect from or after 1st September 2011 must be placed on the minimum of the relevant scale unless the Governing Body determines that they have other relevant experience in which case a discretionary point or points may be awarded.

15. PART TIME AND SHORT NOTICE TEACHERS

- 15.1 In applying the Salary Policy adopted by the Governors the Committee will determine the pay of part time teachers in accordance with the provisions of the Document and note the requirement to calculate the School's timetable teaching week when determining the pay of part time teachers.
- 15.2 Furthermore, the Committee will also have regard to the need to identify holiday entitlement when determining the pay of occasional supply and other short notice teachers in accordance with the Document.

16. APPEALS

- 16.1 Where a member of staff has concerns about a decision of the Committee regarding pay the appeal procedure attached to this policy should be followed See Appendix 1) Appeals must be on the grounds that the Committee:
 - incorrectly applied a provision of the Document;
 - failed to have regard to statutory guidance;
 - failed to take account of relevant evidence;
 - took account of irrelevant or inaccurate evidence;
 - was biased; or
 - otherwise unlawfully discriminated against the teacher.
- 16.2 Appeals will be heard as promptly as possible once the appeals sub-committee has confirmed their decision and have conducted a hearing with the aggrieved member of staff. Wherever possible this will be within 15 working days of receiving written notification of the wish to appeal.

17. REVIEW OF THE POLICY

- 17.1 The Governing Body will review this policy on an annual basis or on any other occasion when required to do so.
- 17.2 The Committee, in liaison with the Headteacher, will consult the staff and the recognised professional associations if required at the time of review.

Appendix 1

Pay appeals procedure

Stage One

A teacher who is dissatisfied with a pay recommendation has the opportunity to discuss the recommendation with the appraiser or headteacher before the recommendation is actioned and confirmation of the pay decision is made by the school

Stage Two

- If, having had an informal discussion, the member of staff believes that the wrong decision has been reached, he/she may follow a formal process. To begin the process, the teacher should submit a formal appeal which is sent to the person (or governors committee) who made the determination, setting down in writing the grounds for questioning the pay decision.
- The teacher is given the opportunity to make representation at a formal meeting with the person (or governors committee) who made the determination, at which the appeal is considered.

Stage Three

- Should an agreed outcome not be reached, the teacher can have a further appeal hearing before an appeals panel of governors.
- In the hearing before governors, both the teacher and the management representative will have the opportunity to present their evidence and call witnesses, and to question each other. The panel is permitted to ask exploratory questions.
- Having heard the appeal, the panel must reach a decision, which it must relay to the teacher in writing, including their rationale for reaching the decision. The appeal panel's decision is final and, as set out in Section 3, paragraph 7 of the STPCD, there is no recourse to the general staff grievance procedure.

Appeals hearings panels

- It is recommended that the panel which hears pay appeals should comprise 3 governors who were not involved in previous discussions regarding the teacher's pay determination. Governors on appeals panels should be familiar with the school's pay and appraisal policies.
- Teachers appealing pay decisions are legally entitled to be accompanied by a colleague of representative from a trade union.
- Pay appeals should be formally clerked and a note of proceedings should be produced.