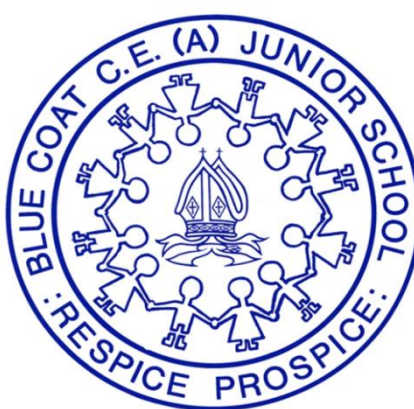


*Love God, love others*

*Let your light shine*



## BLUE COAT CE (AIDED) INFANT SCHOOL AND JUNIOR SCHOOL'S FEDERATION

# Pay Policy 2023

### Document information

Approved on		Last updated by	Kerry Smith
Effective from	1 September 2023	Review Date	September 2024
Purpose	To set out the framework for making pay decisions for directly employed School/Academy staff.		

### Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal

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## 1. Introduction

- 1 The Governing Body has adopted this policy to take effect from 1st September 2023 following full consultation with representatives of recognised unions and professional associations and Walsall Children's Services. It will review the policy annually following similar consultation. This policy meets the requirements of the school teachers' pay and conditions document 2023 and guidance on school teachers' pay and conditions (STPCD) ('Document'). The link to the Document is attached below. It has regard to the statutory guidance accompanying the Document and conforms to the local authority's salary scales and conditions of service for support staff. This policy should be read alongside the Document.
- 1.2 The Governing Body will ensure that all employees are made aware of the existence of this policy and have ready access to a copy of it.
- 1.3 The Governing Body delegates the implementation of this policy to the Pay Committee (hereinafter referred to as the 'pay committee'), with the exception of threshold assessment for teachers and determining the salaries of newly appointed employees in accordance with this policy, both of which are delegated to the Executive Headteacher. The Headteacher is also asked to agree performance objectives with other teachers on the leadership spine, review those objectives annually and report on the outcome of that review to this pay committee in time for the annual review of salaries of those teachers.

This Pay Policy should be read in conjunction with the Pay Policy Guidance 2023.

### 1.4 **Teachers Pay Award September 2023 (STPCD)**

**In 2023 the DfE have fully implemented the recommendations by the 33<sup>rd</sup> report of the School Teachers' Review Body ('STRB') accepted and outlined in the STPCD.**

The main changes are that it makes provision for the September 2023 pay award.

- **6.5 per cent uplift to all pay points and allowances for both teachers and leaders, apart from;**
- **higher uplift for M1 of 7.1 per cent for England and 6.8 per cent for the Fringe.**

#### **Consultation with trade unions and Walsall Headteachers/Principals**

Following detailed consultation with all appropriate trade unions and Headteachers/Principals across the borough this model pay policy outlines the proposed pay ranges for Walsall schools.

- 1.5 The following are links to:
  - School Teachers' Pay and Conditions Document (STPCD)  
[School teachers' pay and conditions - GOV.UK](#)
  - Implementing your schools approach to pay – DfE advice updated October 2022:  
[Implementing your school's approach to pay: October 2022 \(publishing.service.gov.uk\)](#)

## 2. Statement of intent

- 2.1 The prime statutory duty of governing bodies in England, as set out in section 21(2) of the Education Act 2002, is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty.

In adopting this pay policy, the aim for our school is to:

- Maximise the quality of teaching and learning at the school/academy
  - Support the recruitment and retention of a high quality teacher workforce
  - Enable the school/academy to recognise and reward teachers appropriately for their contribution to the school
  - Help to ensure that decisions on pay are managed in a fair, just and transparent way
  - Ensure appropriate consultation has taken place with union consultation and agreement
- 2.2 The Governing Body of Blue Coat C.E. Federation will make all pay decisions. They will act with integrity, confidentiality, objectivity and honesty in the best interests of the schools; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

## 3. Equalities legislation

- 3.1 The Governing Body will promote equality in all aspects of school life, particularly with regard to all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

The Governing Body will comply with relevant equalities legislation including:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010

- 3.2 Equality Act 2010 – With regard to the Equality Act, the Governing Body will comply with the Public Sector Equality Duty (PSED) introduced by the Equality Act. In order to discharge the duty schools must have due regard to the need to:

- (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- (ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- (iii) foster good relations between people who share a relevant protected characteristic and people who do not share it.

See 'Governing Body obligations' in relation to monitoring the impact of this policy.

#### **4. Pay progression based on performance**

- 4.1 In the Blue Coat Federation, all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal. This will enable teachers with their appraiser to recognise their strengths, informs plans for their future development and helps to enhance their professional practice.
- 4.2 Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of ECTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

#### **5. Equalities and pay progression**

- 5.1 The Governing Body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified and minutes of any decisions. The reasons for them will be recorded and kept. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or disability-related sick leave. Adjustments will be made on a case-by-case basis.
- 5.2 The federation will do everything in its power to make a performance-related judgement. If little or no performance evidence is available from the relevant appraisal cycle, because the teacher has been away from school due to pregnancy, maternity or disability-related illness, it will use evidence from previous appraisal cycles where possible.
- 5.3 On-going equality analyses can assist in identifying any potential inequality and guard against possible equal pay claims
- 5.4 The principal means of preventing equal pay claims is for the federation to ensure that individual pay decisions are fully compliant with the Equality Act as set out in Section 2 above, and that the duty to have due regard is discharged. The federation will satisfy itself that pay decisions year on year are not indicating a pattern that might cause concern. This can be achieved by schools undertaking an annual equality analysis which would help identify any potential inequality and demonstrate that the federation is attempting to eliminate discrimination and advance equality. Such analysis to include:
- the pay profile of teachers by the protected characteristic i.e. age, disability, race and gender.
  - the reasons that teachers with different protected characteristics are rewarded differently if that is the case;
  - whether teachers who share particular protected characteristics are being treated less favourably than other teachers.

#### **6. Job descriptions**

- 6.1 The Executive Headteacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Governing Body. Job descriptions may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes in the light of the changing needs of the federation. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

## **7. Appraisal**

- 7.1 The Governing Body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers.
- 7.2 The Appraisal Regulations state that appraisal objectives for all teachers, including the leadership group, must be such that, if they are achieved, they will contribute to:
- Improving the education of pupils at that school; and
  - The implementation of any plan of the Governing Body designed to improve the schools' education provision and performance.
- 7.3 Assessment will be based on evidence from a range of sources (see the appraisal policy). Although the federation will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence they deem to be appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (e.g application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review. The arrangements of teacher appraisals are set out in the separate appraisal policy and supporting documentation which can be located on the Walsall Link.
- 7.4 The Headteacher will moderate objectives to ensure consistency and fairness; the Headteacher will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

## **8. Governing Body obligations**

The Governing Body will fulfil its obligations to:

- 8.1 Teachers: as set out in the school teachers' pay and conditions document ('the Document') and the conditions of service for school teachers in England and Wales (commonly known as the Burgundy book).
- 8.2 Support staff: the national joint council for local government services national agreement on pay and conditions of service (Green Book) or any LA pay/grading system.
- 8.3 The Governing Body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.
- 8.4 The Governing Body will ensure that appraisers, decision-makers and any appeal committee governors receive appropriate training to ensure fair and open decision-making.
- 8.5 The Governing Body will ensure that mid-year reviews are undertaken for teachers and all members of the leadership group through regular pupil progress meetings.
- 8.6 The Governing Body will ensure that it makes funds available to support pay decisions in accordance with this pay policy (see Procedures) and the federation's spending plan.
- 8.7 The Governing Body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers progress at different rates, ensuring continued compliance with equalities legislation.

## **9. Executive Headteacher obligations**

The EHT will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the Governing Body for approval;
- ensure that effective appraisal arrangements are in place, and that any appraisers have the knowledge and skills to apply procedures fairly;
- ensure that mid-term reviews are undertaken for all teachers, including the leadership group through regular pupil progress meetings;
- submit pay recommendations to the Governing Body and ensure the Governing Body has sufficient information upon which to make pay decisions; and
- ensure that teachers are informed about decisions reached and that records are kept of recommendations and decisions made.

## **10. Teachers' obligations**

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser; and
- ensure they have an annual review of their performance.

## **11. Differentials**

- 11.1 Appropriate differentials will be created and maintained between posts within the school/academy, recognising accountability and job weight, and the Governing Body's need to recruit, retain and motivate sufficient employees of the required quality at all levels.

## **12. Discretionary pay awards**

- 12.1 Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

## **13. Salary safeguarding for Teachers**

- 13.1 Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will comply with the relevant provisions of the Document and will give the required notification as soon as possible and no later than one month after the determination.

## **14. Procedures**

- 14.1 The Governing Body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 19.2(e) of the Document.
- 14.2 The Governing Body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.
- 14.3 Where possible, no member of the Governing Body who is employed to work in the school shall be eligible for membership of this committee. The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.
- 14.4 The terms of reference for the pay committee will be determined from time to time by the Governing Body. The current terms of reference are:
- to achieve the aims of the whole school pay policy in a fair and equal manner;
  - to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
  - to observe all statutory and contractual obligations;
  - to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full Governing Body;
  - to recommend to the Governing Body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
  - to keep abreast of relevant developments and to advise the Governing Body when the school's pay policy needs to be revised; and
  - to work with the head in ensuring that the Governing Body complies with the Education (School Teachers' Appraisal) (England) Regulations 2012.
- 14.5 The report of the pay committee will be placed in the confidential section of the Governing Body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

## **15. Staff paid in accordance with STPCD**

### **15.1 Annual determination of pay**

All teaching staff salaries, including those of the Head, Deputy Heads and Assistant Heads will be reviewed annually to take effect from 1 September. The Governing Body will endeavour to complete teachers' annual appraisal and pay reviews by 31 October and the Headteacher/Principal annual pay review by 31 December. They will, however, complete the process without undue delay.

## **15.2 Notification of pay determination**

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

## **16. Appeals procedure**

The Governing Body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). It is set out as an appendix to this policy.

## **17. Headteacher/Principal pay - Pay on appointment**

- 17.1 The pay committee will review the school's Headteacher group and the Head's pay range in accordance with paragraphs four, five, six and eight (ordinary school), or paragraphs four, five, six, seven and eight (special schools) of the Document.
- 17.2 If the Headteacher takes on permanent accountability for one or more additional schools, the pay committee will set a pay range in accordance with the provisions of paragraph 6.6 or 7.9 of the Document, as the case may be.
- 17.3 For new appointments, the pay committee will determine the Headteacher group, and pay range taking account of the full role of the Headteacher (part seven of the Document), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraphs 9.2 of the Document, including recruitment issues. The pay committee will consider the reference points on leadership scale and take into account the factors set out in Appendix One when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions
- 17.4 The pay committee will consider using its discretion, in exceptional circumstances only, to exceed the 25 per cent limit beyond the maximum of the group range when setting the pay range for the Headteacher, as set out in paragraph 9.3 of the Document. However, before doing so, it will make a fully-documented business case and seek external independent advice.
- 17.5 Walsall's recommendation is that the pay committee will use 7 reference points within the pay range.

At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure a scope of reference points, as appropriate, for performance related pay progression.
- 17.6 The pay committee will have regard to the provisions of paragraph 9.4 of the Document in particular, and will also take account of the pay and ranges of other staff, including any permanent payments, to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability
- 17.7 The pay committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10 of the Document.
- 17.8 The pay committee will consider whether the circumstances specific to the role or candidate warrant a higher than normal pay range. It will exercise its discretionary powers, where

appropriate, in accordance with paragraph 9.3 of the Document. It will only set a range the maximum of which is more than 25 per cent above the maximum value of the group range in exceptional circumstances. In such circumstances, it will make a business case to the Governing Body and the Governing Body will seek external independent advice before giving agreement

- 17.9 The pay committee will consider whether there is a need for any temporary payments (paragraph 10 of the Document) for clearly time-limited responsibilities or duties. The total sum of the temporary payments made to a head will not exceed 25 per cent of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances
- 17.10 The pay committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances where it has made a business case and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

### **17.11 Serving Headteacher**

The pay committee will only re-determine the pay range of a serving Headteacher, in accordance with paragraph nine of the Document, if the responsibilities of the post change significantly or if the pay committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team made on or after 1 September 2014, or with pay arrangements for a member(s) of the leadership group whose responsibilities significantly change on or after 1 September 2014 (paragraph four of the Document).

- 17.12 It will also re-determine the pay range if the group size of the school increases, or if the head takes on permanent accountability for an additional school(s) (paragraph eight, section three).
- 17.13 If the pay committee re-determines the Headteacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- 17.14 The pay committee will consider using its discretion, in exceptional circumstances, to exceed the 25 per cent limit beyond the maximum of the group range, as set out in paragraph 9.3 of the Document. However, before agreeing to do so, it will make a fully-documented business case and will seek external independent advice.
- 17.15 The pay committee will use reference points within the pay range and will leave reference points for performance-related pay progression if it considers this to be appropriate.
- 17.16 The pay committee will review the Headteacher's pay in accordance with paragraph 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the appraisal regulations 2012 and any recommendation on pay progression in the Headteacher/principal's most recent appraisal report

- 17.17 Where the Headteacher's performance is exceptional, it will award accelerated performance related pay progression of up to 2 reference points taking account of the most recent appraisal and any recommendation on pay
- 17.18 If the pay committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph nine and paragraph eight of the Document.
- 17.19 The pay committee will consider the use of temporary payments for clearly temporary responsibilities or duties only in accordance with paragraph 10 of the Document
- 17.20 The total sum of temporary payments made to a head must not exceed 25 per cent of the annual salary which is otherwise payable to the Headteacher/Principal; and the total sum of salary and other payments made to a head must not exceed 25 per cent above the maximum of the Headteacher group, except in wholly exceptional circumstances.
- 17.21 The pay committee may determine that additional/temporary payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the agreement of the Governing Body. The Governing Body will seek external independent advice before providing agreement

## **18. Deputy/Assistant Headteacher pay**

### **18.1 Pay on appointment**

The pay committee will determine a pay range on the Leadership Pay Range attached at Appendix 1 The pay committee will take account of the full role of the deputy/assistant Headteacher (part seven), all indefinite responsibilities of the role, any challenges that are specific to the role and all other relevant considerations paragraph 9.2 – 9.4 of the Document, including recruitment issues. The pay committee will take into account the factors set out in Appendix 1 when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.

Walsall's recommendation is that the pay range will contain 5 reference points.

- 18.2 At the appointment stage, candidate specific factors will be taken into account when determining the starting salary. If necessary, the Governing Body will adjust the pay range to ensure appropriate scope of reference points, as appropriate, for performance related pay progression.
- 18.3 The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 60 to 68 of section three Guidance contained in the Document.

### **18.4 Serving Deputy/Assistant Headteacher**

The pay committee will review and, if necessary, re-determine the Deputy/Assistant Head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Headteacher (paragraph ten of section three guidance in the Document),

- 18.5 When determining the pay range of a serving Deputy/Assistant head, the pay committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2 of the Document), including retention issues. The pay committee will take into account the factors set out in Annex A when determining an appropriate pay range. It will also take account of any other

considerations it feels are relevant and minute carefully its decisions and reasons for those decisions

- 18.6 The pay committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure, but will note paragraph 9.4 of the Document.
- 18.7 The pay committee will consider whether the award of any additional payments is relevant, as set out in paragraph 26 of the Document and paragraphs 48 to 59 of section three of the Document.
- 18.8 The pay committee will use reference points within the pay range and will leave a number they consider appropriate of reference points for performance-related pay progression
- 18.9 The pay committee will review pay in accordance with paragraphs 11 of the Document and award one reference point where there has been sustained high quality of performance having regard to the results of the recent appraisal and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report
- 18.10 The pay committee will award accelerated performance related pay progression of up to 2 reference points if there has been exceptional performance, taking account of the results of the most recent appraisal and any pay recommendation and appropriate differentials.

## **19. Classroom Teachers**

### **19.1 Pay on appointment**

- 19.3 This school has adopted pay portability. In the event appointee worked as a classroom teacher previously the Committee will pay the same rate as they were paid in their previous school/academy including pay progress for this cycle, this is known as pay portability.
- 19.4 The Governing Body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

### **19.5 Annual pay determination**

The Committee will use reference points for classroom teachers. Therefore the pay scale for main pay range teachers in this school is:

MS Point 1	£30,000
MS Point 2	£31,737
MS Point 3	£33,814
MS Point 4	£36,051
MS Point 5	£38,330
MS Point 6	£41,333

- 19.6 Appraisal objectives will become more challenging as the teacher progresses up the main pay range. Objectives will, however, be such that, if achieved, meet the requirements of the appraisal regulations 2012 (see Appraisal above).
- 19.7 To move up the main pay range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in the teachers' standards. Teaching should be consistently 'good', as defined by Ofsted. However, this does not mean that every lesson observation needs to be 'good'.

- 19.8 If the evidence shows that a teacher has exceptional performance, the Governing Body may consider the use of its flexibility to award enhanced pay progression up to the maximum of 2 reference points. Teaching over time will be 'outstanding', as defined by Ofsted.
- 19.9 Judgments will only be made on evidence gathered which is related to the formal appraisal process. As a teacher moves up the main pay range, this evidence should show:
- a positive impact on pupil progress;
  - a positive impact on wider outcomes for pupils;
  - improvements in any specific elements of practice identified to the teacher through the appraisal process, e.g. behaviour management or lesson planning; and
  - a positive contribution to the work of the school.
- 19.10 Further information, including sources of evidence, is contained in the appraisal policy.
- 19.11 The pay committee will take account of the pay recommendation contained in the appraisal report. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

In the case of ECTs, pay decisions will be made by means of the statutory induction process.

## **20. Applications to be paid on the Upper Pay Range**

- 20.1 It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range. Applications will only be considered taking into account two successful appraisals. Applications can be made at least once a year.
- 20.2 If successful, the teacher will move to the UPR from 1 September following the years' appraisal reviews submitted. For example, if the appraisal reviews cover academic years 2021/2022 (main scale point 5) and 2022/2023 (main scale point 6) and the application is submitted before 31 October 2023, movement to the UPR will take effect from 1 September 2023.
- 20.3 If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school/academy will not be bound by any pay decision made by another school/academy.
- 20.4 All applications should include the results of the two most recent appraisals under the appraisal regulations 2012 including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.
- 20.5 In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build an evidence base to support their application. Those teachers who have been absent, through sickness, disability or maternity, may cite written evidence from previous years in support of their application.

## 20.6 Process

One application may be submitted annually. The closing date for applications is normally 31st October of each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or on sick leave. The process for applications is:

- complete the school/academy's application form (Appendix Two)
- submit the application form and supporting evidence to the Headteacher by the cut-off date of 31st October;
- the teacher will receive notification of the name of the assessor of your application within 5 working days;
- the assessor will assess the application, which will include a recommendation to the pay committee of the relevant body;
- the application, evidence and recommendation will be passed to the Headteacher for moderation purposes, if the Headteacher is not the assessor;
- the pay committee will make the final decision, advised by the Headteacher;
- Teachers will receive written notification of the outcome of their application. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see Assessment below);
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria;
- successful applicants will move to the minimum of the UPR; and
- unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix 4.

## 20.7 Assessment

The teacher will be required to meet the criteria set out in paragraph 15 (Appendix Three) of the Document, namely that:

- The teacher is highly competent in all elements of the relevant standards; and
- The teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this federation, this is interpreted as follows:

"Highly competent":

- 20.8 the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
- 20.9 (e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution

to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

“Substantial”:

- 20.10 the teacher’s achievements and contribution to the school are significant - not just in raising standards of teaching and learning in their own classroom or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- 20.11 (e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school/academy; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils’ learning).

“Sustained”:

- 20.12 The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

## **21. Upper pay range**

### **Annual pay determination**

The upper pay range in this school/academy will consist of three ranges set out below:

UPR Point 1    £43,266

UPR Point 2    £44,870

UPR Point 3    £46,525

- 21.1 The pay committee will determine whether there has been continued good performance. In making such a determination, it will take into account:
- paragraph 19 and the criteria set out in paragraph 15.2 of the Document;
  - the appraisal report and the pay recommendation of the appraiser; and
  - the appraisal evidence that the teacher has maintained the criteria set out in paragraph 15.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to an educational setting or settings are substantial and sustained. The meaning of these criteria is set out above.
- 21.2 Where it is clear that the appraisal evidence shows that the teacher has continued good performance, as set out above, and has made good progress towards their objectives, the teacher will move to next point on the upper pay range; or if already on the mid-point, will move to the top of the upper pay range.
- 21.3 Pay progression on the upper pay range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear from the evidence that the teacher’s performance is exceptional, in relation to the criteria set out above, the pay committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR. Teaching over time will be ‘outstanding’ as defined by Ofsted.

- 21.4 Further information, including sources of evidence is contained within the appraisal policy. The pay committee will be advised by the Headteacher in making all such decisions.

## **22. Leading Practitioner roles**

- 22.1 *It is not the intention of the Governing Body to create a leading practitioner role at this time but the Governing Body will review its position from time to time.*

## **23. Unqualified teachers**

### **Pay on appointment**

- 23.1 The pay committee will pay any unqualified teacher in accordance with paragraph 17 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value.

- 23.2 The Unqualified Teacher Pay Range and Walsall Reference points:

UQ Point 1	£20,598
UQ Point 2	£22,961
UQ Point 3	£25,323
UQ Point 4	£27,406
UQ Point 5	£29,772
UQ Point 6	£32,134

- 23.3 The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22 of the document. In applying additional allowances, consideration should be given to maintaining differentials.

### **23.4 Annual pay determination**

In order to progress up the unqualified teacher range, one point annually, unqualified teachers will need to show that they have made good progress towards their objectives.

- 23.5 If the evidence shows that the unqualified teacher has exceptional performance, the Governing Body may award enhanced pay progression of 2 reference points.
- 23.6 Judgements will only be made on evidence gathered which is related to the appraisal process. Information on sources of evidence is contained within the appraisal policy.
- 23.7 The pay committee will be advised by the Headteacher/Principal in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee must be able to objectively justify its decisions.

## **Allowances and other payments for classroom teachers**

### **24. Teaching and learning responsibility (TLR) payments**

- 24.1 The pay committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 46 to 53 of the section three guidance of the Document. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the school/academy's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 20.4 of the Document.
- 24.2 The pay committee will ensure that sufficient differential exists between different levels of TLR, taking account of the responsibilities for which the TLR is awarded. All decisions will be objectively justified.
- WMBC TLR 1 and 2 are:
- a) The annual value of a TLR1 must be no less than £9,272 and no greater than £15,690
  - b) The annual value of TLR2 must be no less than £3,214 and no greater than £7,847
- 24.3 The pay committee may award a TLR 3 in accordance with paragraph 20.3 between £639 and £3,169. A TLR3 is a fixed-term award. TLR3s may be awarded only for clearly time-limited school improvement projects, one-off externally driven responsibilities, or where teachers are undertaking planning, preparation, coordination of, or delivery of tutoring to provide catch-up support to pupils on learning lost to the pandemic, and where that tutoring work is taking place outside of normal directed hours but during the school day. The fixed-term for which they are to be awarded must be established at the outset of the award. The relevant body should not award consecutive TLR3s for the same responsibility unless that responsibility relates to tutoring, as set out above. TLR3s are not subject to pay protection.

### **25. Special educational needs (SEN) allowances**

- 25.1 The pay committee will award an SEN spot value allowance on a range of between £2,539 and £5,009 to any classroom teacher who meets the criteria as set out in paragraph 21 of the Document.
- 25.2 When deciding on the amount of the allowance to be paid, the Governing Body will take into account the structure of the SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 21.3 of the Document). The Governing Body will also establish differential values in relation to SEN roles in the federation in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The Governing Body will take account of paragraphs 54 to 58 of the section three guidance of the Document.

## 26. Acting Allowance

- 26.1 Subject to paragraph 23.6 of the Document Where a teacher is assigned and carries out duties of a Headteacher/Principal, Deputy Headteacher or Assistant Headteacher but has not been appointed as an acting Headteacher/Principal, Deputy Headteacher or Assistant Headteacher, the school/academy must, within the period of four weeks beginning on the day on which such duties are first assigned and carried out, determine whether or not an allowance ('acting allowance') must be paid in accordance with the provisions outlined in 23.2 – 23.6 of the Document.

## 27. Allowance payable to unqualified teachers

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

a) has taken on a sustained additional responsibility which:

i. is focused on teaching and learning; and

ii. requires the exercise of a teacher's professional skills and judgment; or

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

## 28. Performance payments to seconded teachers

- 28.1 Where:

a) a teacher is temporarily seconded to a post as Headteacher/Principal in a school/academy causing concern which is not the teacher's normal place of work; and

b) the relevant body of that school/academy considers that the teacher merits additional payment to reflect sustained high quality of performance throughout the secondment, the relevant body may pay the teacher a lump sum accordingly. Subject to paragraph 10.4, the total value of the additional payment and any annual salary and other payments paid to the teacher during the secondment must not exceed 25% above the maximum of the Headteacher group for the school/academy to which the teacher is seconded.

## 29. Additional Payments

### 29.1 **Continuing Professional Development (CPD)**

Payments may be made to classroom teachers in accordance with paragraph 26 of the Document in respect of CPD undertaken outside of either the 1265 hours of directed time for full-time teacher; for the appropriate proportion of the 1265 hours of directed time for part-time teachers

### 29.2 **Initial Teacher Training (ITT) activities**

Leading Practitioners may be required to undertake activities related to providing ITT as part of their role. In accordance with paragraph 26 of the Document other teachers may receive additional payment for activities related to ITT only which is provided as an ordinary incident in the conduct of the school/academy. The appropriate level of payment for ITT activities will be dependent on the level of work undertaken.

### 29.3 **Service Provision**

Where a Headteacher/Principal in one school/academy is providing a service to another school/academy for example National Leader of Education (NLE) The school/academy will determine how much if any, additional payment is due to the individual concerned in line with the provisions of the Document. In line with the Provision for service to other school/academy – operating principles and requirements as outlined in the Document.

Consideration should also be given to the remuneration of other teachers who as a result of the Headteacher/Principal's additional role are taking on additional responsibilities and activities. Any increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the Headteacher/Principal's enlarged role. This is not an automatic entitlement.

### 29.4 **Out-of-school hours learning activities**

School/academy's should decide whether to make payments to teachers who agreed to participate in out-of-hours learning. Payments to classroom teachers should only be made in respect of those activities undertaken outside of either the 1265 hours or directed time for full time teachers or the appropriate proportion of the 1265 hours of directed time for part-time teacher.

## 30. **Recruitment and Retention**

- 30.1 The Committee will consider the award of recruitment and retention payments under paragraph 27 of the Document and against the background of any national guidance or advice, teacher supply and demand, curriculum areas and the retention of experienced staff. In particular where awarding a recruitment and retention allowance enables the school/academy to recruit and retain teachers of the quality required to ensure school improvement.

Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

- 30.2 The pay committee will consider exercising its powers under paragraph 27 of the Document where they consider it is appropriate to do so in order to recruit or retain relevant teachers. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which it may be withdrawn.

The Governing Body will, nevertheless, conduct an annual formal review of all such awards

## 31. **Salary sacrifice arrangements for Teachers**

- 31.1 Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 28 of the Document.

## 32. **Part-time employees and Short Notice Teachers**

- 32.1 **Teachers:** The Governing Body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraphs 40, 43 and 52.5 onwards, and paragraphs 35, 38-43 and 78-86 of the section three guidance of the Document.

- 32.2 **All staff:** The Headteacher/Principal and Governing Body will use their best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

**Teachers employed on a short-notice and Supply basis**

- a. Such teachers will be paid in accordance with paragraph 44 of the Document

**33. OVERPAYMENT OF SALARY**

- 33.1 The school expects all staff to behave with honesty and integrity. With specific regard to overpayments of salary, it is expected that staff will report promptly any such payment received, or any other payment received to which they are not entitled. Deliberate failure to report overpayments of salary will be treated as misconduct and will be dealt with through the Disciplinary Policy.

Once an overpayment has been established, recovery and timescale will be discussed with the individual, taking account of the values of money involved, the timescale of overpayment and to minimise hardship.

Where an employee is repaying an overpayment but leaves the school/academy before the full overpayment is recovered, the balance will be deducted from the final salary payment. Where the amount outstanding exceeds the final salary, an invoice will be raised for the outstanding amount and sent to the employee.

Every effort will be made to secure agreement on a recovery schedule however agreement with an employee is not a requirement to proceed with recovery.

**34. Support Staff**

- 34.1 The pay committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the School Staffing (England) Regulations 2009 and chapter seven of the associated guidance.

**35. Pay and Grading**

- 35.1 The Committee will determine the pay and grading of non-teaching employees in line with:
- WMBC Pay and grading scheme for Community and Voluntary Controlled Schools and other schools that have adopted the scheme in Appendix 5 (A). Under exceptional circumstances the Governing Body may decide to pay outside of the single status framework. It is recommended that HR advice is sought prior to confirming the position.

**36. Increments**

- 36.1 Each employee will be granted one additional increment from 1 April each year, until the maximum of the pay band is reached.
- 36.2 Employees with less than six months' service in the pay band by 1 April in any year will not be granted their first increment until six months after their appointment, promotion or move to the pay band. Thereafter increments are applicable from 1 April each year until the employee reaches the maximum pay for their band.
- 36.4 National Terms and Conditions may be applied regarding unsatisfactory performance.

### **37. 37 hour week**

- 37.1 The standard working week for full-time employees is 37 hours per week and 52 weeks per year. When entering into a contractual relationship with an employee, the Governing Body determine the number of hours and when they want staff to work and whether they wish to make any contractual provisions to vary when the hours are actually worked.

### **38. Salary sacrifice arrangements**

- 38.1 Where the school/academy operates a salary sacrifice arrangement, employees may participate in any arrangement and his/her gross salary shall be reduced accordingly.

### **39. Honorariums or acting up for Support Staff**

- 39.1 It may be necessary for the school/academy to use acting up arrangements from time to time to cover short term absences or specific pieces of work. Acting up is a useful way to aid the personal and career development of an employee and provide valuable cover where necessary.
- 39.2 Routine acting up arrangements should be for a maximum of 12 calendar months, may extended in exceptional circumstances to an absolute maximum of 18 months.
- 39.3 Normal practice is to pay the employee the difference between their substantive spinal column point (SCP) and the bottom SCP of the higher graded post. If they are not undertaking the full duties and responsibilities of the post, they should be paid the pro rata difference between SCPs; for example, 50% of the differences if they are covering half the duties, etc. Where the grades overlap the next SCP should be used.
- 39.4 If the employee receives an increment during the acting up period, the payment should be adjusted accordingly to maintain the differential between substantive and acting up grade.
- 39.5 Where the employee is undertaking a specific piece of work, as opposed to covering duties at a higher grade, you should assess the grade at which this work is valued and pay the difference in the same way.

### **40. Extended Schools**

- 40.1 Support staff employed on extended school contracts should be paid on a NJC Spinal Column point (whether this is a spot point or a scale). This will allow for inflationary increases to applied as and when applicable.

### **41 Apprentices**

- 41.1 Apprentices employed directly in schools are required to participate in an agreed apprenticeship programme and will be paid in accordance with the national apprenticeship pay arrangements.

## Appendix 1

### WMBC Leadership Pay Arrangements and Range

#### Upper Pay Range Progression Criteria

The teacher will be required to meet the criteria set out in paragraph 15 of the Document, namely that:

- the teacher is highly competent in all elements of the relevant standards; and
- the teacher's achievements and contribution to an educational setting or settings are substantial and sustained.

In this school/academy, this is interpreted as follows:

##### "highly competent":

The teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

(e.g. performance which is good enough to fulfil wider professional responsibilities, and develop effective professional relations with colleagues, giving them advice and demonstrating to them effective teaching practice and how to make a positive contribution to the wider life and ethos of the school/academy, in order to help them meet the relevant standards and develop their teaching practice).

##### "substantial":

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

(e.g. of real importance, validity or value to the school/academy; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning).

##### "sustained":

The teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period (see exceptions outlined in paragraph 10.2 of the Document). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

### Model appeals procedure

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

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the review meeting prior to being submitted to the pay committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of his/her expectations and wishes to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal appeal hearing procedure. Appeal hearings against pay decisions must satisfy the dispute resolution requirements of employment law (ie part four of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS code of practice.

#### Appeal hearing procedure

It is the intention that the appeals procedure will be dealt with promptly, thoroughly and impartially.

#### Guidance

When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.

Teachers/Headteachers/Principals should put their appeal in writing to either the Headteacher/Principal or the Governing Body; the appeal should include sufficient details of its basis.

Appeals should be heard without unreasonable delay and at an agreed date, time and place.

Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

#### Appeal procedure steps: informal stage

As part of the pay determination process, the line manager (the recommendation provider) will make a recommendation to the decision maker (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, the decision maker will write to the teacher advising them of

the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to the decision maker.

If the teacher wishes to appeal the decision, it must be done in writing to the decision maker, normally with 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, the decision maker must then arrange to meet the teacher to discuss the appeal. The recommendation provider should also be invited to the meeting to clarify the basis for the original recommendation.

The decision maker will reconsider the decision in private and write to notify the teacher of the outcome of the review and of the teacher's right of appeal to the Governing Body. If the teacher wishes to exercise the right of appeal, he/she must write to the clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the formal stage of the appeal procedure.

### **Appeal procedure steps: formal stage**

On receipt of the written appeal, the clerk to the Governing Body will establish an appeal committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process. A meeting of the appeal committee should be convened at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both the recommendation provider and the decision maker will be required to attend the meeting.

The chair of the appeal committee will invite the employee to set out their case. The employee should be reminded of their right to be accompanied by a work colleague or trade union representative. Both the recommendation maker and the decision maker will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the appeal committee will consider all the evidence in private and reach a decision. The appeal committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the appeal committee is final.

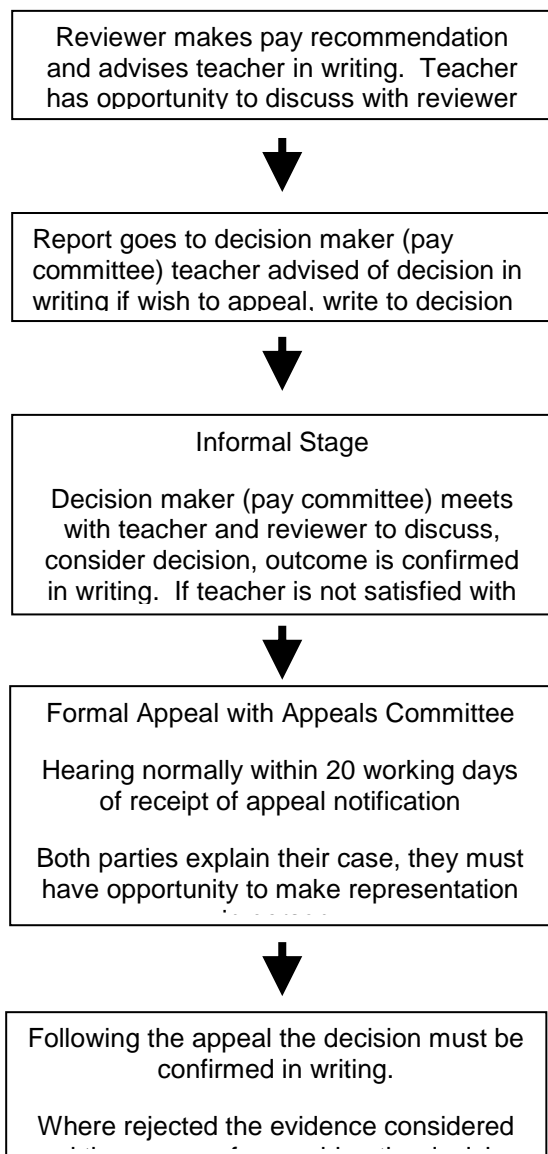
### **The modified procedure**

There will be no entitlement to invoke the appeal procedure in relation to a pay decision if the teacher has left the employment of the school/academy.

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

- The teacher must have set out details of their appeal in writing;
- The teacher must have sent a copy of their appeal to the chair of the Governing Body;
- The chair of the Governing Body will consult with relevant school/academy personnel and provide the teacher with an appropriate written response on behalf of the school/academy.

## Pay Hearings and Appeals Procedure



*\*If the appellant is the Headteacher/Principal then where it refers to Headteacher/Principal above it will be the relevant Governor responsible for the Headteacher/Principal's appraisal, and the teacher becomes the Headteacher/Principal.*

## Appendix Five (A)

**WMBC Single Status Pay Bands for Support Staff as at 1<sup>st</sup> April 2023 - Applicable to all Community and Voluntary Controlled Schools and other schools that have adopted the WMBC Single Status Grades**

			01-Apr-23	
		SCP	per annum	per hour
G1		1	Deleted wef 01 Apr 23	
G1	G2	2	£22,366	£11.59
		3	£22,737	£11.79
G3	G2	4	£23,114	£11.98
		5	£23,500	£12.18
G3	G4	6	£23,893	£12.38
		7	£24,294	£12.59
		8	£24,702	£12.80
G5		9	£25,119	£13.02
		10	£25,545	£13.24
	G4	11	£25,979	£13.47
		12	£26,421	£13.69
		13	£26,873	£13.93
		14	£27,334	£14.17
	G6	15	£27,803	£14.41
		16	£28,282	£14.66
G5		17	£28,770	£14.91
		18	£29,269	£15.17
		19	£29,777	£15.43
		20	£30,296	£15.70
		21	£30,825	£15.98
G7		22	£31,364	£16.26
	G6	23	£32,076	£16.63
		24	£33,024	£17.12
		25	£33,945	£17.59
	G8	26	£34,834	£18.06
G7		27	£35,745	£18.53
		28	£36,648	£19.00
		29	£37,336	£19.35
G9		30	£38,223	£19.81
	G8	31	£39,186	£20.31
		32	£40,221	£20.85
		33	£41,418	£21.47
	G10	34	£42,403	£21.98
G9		35	£43,421	£22.51
		36	£44,428	£23.03
		37	£45,441	£23.55
G11		38	£46,464	£24.08
	G10	39	£47,420	£24.58
		40	£48,474	£25.13
		41	£49,498	£25.66
		42	£50,512	£26.18
G11		43	£51,515	£26.70