



# **PAY POLICY & PROCEDURE**

**Reviewed: September 2024**

**(next review Autumn 2025)**

## **POLICY**

This policy will be applied to the pay of all staff employed to work in the Beyond Schools Trust, excluding any staff whose pay is not determined by the Local Governing Body or the Trust.

- The prime statutory duty of Local Governing Body, 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.

This policy does not form part of the terms and conditions of employees’ employment with the Beyond Schools Trust and is not intended to have contractual effect.

In exercising its functions, the Local Governing Body and Trustees will adhere to all relevant legislation and regulations in particular, the principles incorporated in the company memorandum and articles of association. The Local Governing Body will act with integrity, objectivity and honesty in the best interests of the schools within the Trust; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons.

Nothing in the above requires the Local Governing Body to disclose material relating to any employee, or anyone proposed to be employed at the schools’, nor to any named pupil or candidate for admission to the school, nor to any matter which, by reason of its nature, the Local Governing Body/Trustees are satisfied should remain confidential.

## **General Provisions**

- **Equality Statement**

The Local Governing Body/Trustees will abide by all relevant legislation and, in particular, will not discriminate on grounds of age, sex, sexuality, race, religion or disability. The Local Governing Body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development (see Appendix 6). The Trust HR Department will review roles when advertised to ensure pay is in line with other similar roles across the Trust.

- **Provision and Means of Revising Job Descriptions**

The Headteacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Local Governing Body. Job descriptions may be reviewed from time to time in consultation with the individual employee concerned in order to make reasonable changes. This will usually occur at the annual performance review. Job descriptions will identify key areas of responsibility and will show who is responsible for what, and who is responsible to whom; job descriptions will also make clear what responsibilities are common to all posts.

Job evaluation of professional and support staff roles (associate staff) are carried out in accordance with the National Joint Committee job evaluation scheme and currently undertaken by an external provider to ensure impartiality as well as external comparators.

- **Use of Discretions**

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.

- **Access to Records**

The Headteacher will ensure reasonable access for individual members of staff to their own employment records.

- **Performance Management/Appraisal**

The appraisal of teachers will take place in accordance with their contract of employment (statement of terms and conditions) and the trust's performance management policy. Appraisal statements will be taken into account by the Headteacher in advising the Pay Panel and by the committee in making a determination of performance pay. This provision will also apply to associate staff.

The pay policy will be reviewed annually and/or when the legislation changes in relation to pay.

### **Procedures**

Any person employed to work at the school, other than the Headteacher, must withdraw from a meeting at which the pay or performance appraisal of any other employee of the school, is under consideration. The Headteacher 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 interests or any doubt about their ability to act impartially.

The Chief Executive Officer, Chief Financial Officer and Director of HR must similarly withdraw from the Trust meeting where their pay is discussed and agreed.

The Pay Panel members will consist of three Governors appointed by the Local Governing Body (none of whom should be employees of the School) to carry out the Headteachers' performance review. The Trust appoint 3 Trustees to conduct the Performance Management of the Chief Executive Officer and report to the whole Trust Board with their recommendations.

The Pay Panel of each school will be attended by the Headteacher in an advisory capacity.

The Chief Executive Officer will make recommendations to the Trustees with regards the pay and performance management outcomes of the Headteacher of each school.

### **The Trust will:**

- recommend to the Local Governing Body the annual budget needed for pay, bearing in mind the need to ensure the availability of funds to support any exercise of discretion. The Pay Panel will recommend that the Local Governing Body makes application for any additional funding available to support this process;
- keep abreast of relevant developments and to advise the Local Governing Body when the pay policy needs to be revised;
- work with the Headteacher in ensuring that the Local Governing Body complies with the Appraisal Regulations.

Decisions will be communicated to each member of staff by the Headteacher in writing. Decisions on the pay of the Headteacher will be communicated by the Chair of Trustees and/or CEO in writing. 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.

All teaching staff salaries, including those of the Headteacher, Deputy Headteacher(s) and Assistant Headteacher(s) will be reviewed annually. The award of a point on the Upper Pay range will normally be considered two years after any previous award.

The Local Governing Body may exercise their discretion to award points on the upper pay spine at less than two-year intervals on the recommendation of the Headteacher.

The Local Governing Body may exercise their discretion to award more than 1 point in any one year on the recommendation of the Headteacher.

The Local Governing Body may withhold progression through the various pay ranges on the recommendation of the Headteacher.

The annual appraisal of all teachers, including part time teachers, unqualified teachers, members of the leadership group, and the annual performance review of the headteacher's salary, is fairly and properly conducted as soon as possible and by 31st October annually at the latest; 31st December annually for members of the Senior Executive Committee, including the Chief Executive Officer to ensure it is in line with audit processes and strategic planning.

### **Appeal Procedure**

All staff will receive a written statement of the determination of their pay as set above. Notification of any appeal against the determination must be received by the Headteacher, with a copy to the Clerk of the Local Governing Body, within ten working days of the date of the statement. The Local Governing Body may extend that time limit for good and sufficient reason.

If the Headteacher wishes to appeal, notification should go to the Chair of Governors, with a copy to the clerk within the same timescales as above. The same applies to the Chief Executive Officer, Chief Financial Officer and Director of HR with an appeal to the Trustees.

In the event of an appeal, the Local Governing Body will convene an appeals panel (three governors who were not involved in the original committee decision) to meet within ten working days of the receipt of the appeal notice. The Local Governing Body may extend that time limit for good and sufficient reason. Any appellant has the right to see all relevant papers and to be accompanied/represented by a workplace colleague or trade union/association representative. The decision of the appeal committee will be final. **See Appendix 3**

## **Leadership Group Pay**

### **Headteacher Pay**

The Remunerations Committee will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows;

- Trustees will review the school's Headteacher group and the Headteachers' Individual School Range (ISR) in accordance with the School Teachers Pay and Conditions School Teachers Pay and Conditions Document;
- The Remunerations Committee will have regard to the calculation of the salary of the highest paid classroom teacher and will also take account of any other permanent payments made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- The Remunerations Committee will record its reasons for the determination of the ISR, in accordance with the School Teachers Pay and Conditions School Teachers Pay and Conditions Document;
- where the circumstances in the School Teachers Pay and Conditions Document apply, the Remunerations Committee will determine the ISR in accordance with the need of the school to attract and appoint an appropriate candidate, not in accordance with the group size of the school;
- The committee will exercise its discretion to set the starting salary above the minimum points on the ISR, in order to secure the appointment of its preferred candidate and will benchmark the salary externally to ensure competitive to attract the right candidates.

### **For serving Headteachers:**

- The Remunerations Committee will determine the salary of a serving Headteacher in accordance with paragraph 5-11 of the School Teachers Pay and Conditions Document.
- the Remunerations Committee will determine the Headteacher's ISR, in accordance with paragraph 9 of the School Teachers Pay and Conditions Document;
- the Remunerations Committee may also determine the ISR where there is a need to retain an existing head, not in accordance with the group size of the school;

- the Remunerations Committee will agree performance objectives with the Headteacher, taking account of the advice from the Chief Executive Officer. The objectives will be agreed as early as possible in the autumn term;
- the Trustees will be conscious of its duty to set performance objectives in default of agreement. This power will only be exercised as a last resort, after the appeal procedure has been exhausted. The general pay appeals procedure will apply. The Headteacher is, additionally, entitled to submit a written statement, commenting on any objectives set, which will be taken into account at the time of the review;
- the Remunerations Committee will review the performance of the Headteacher against the performance objectives and may award up to two points where objectives are met and a significant contribution to whole school improvement is made and/or may award a bonus payment if the circumstances prove to be appropriate.
- The Chief Executive Officer is awarded in a similar way by the Trustees based on the targets set during appraisal.

### **Deputy Headteacher Pay**

Where there is a proposed restructure which includes the role of Deputy Headteacher, the Local Governing Body will ask its Pay Panel to determine the pay range to be advertised and agree pay on appointment as follows:

- They will determine a Deputy Headteacher pay range in accordance with paragraph 9 of the School Teachers Pay and Conditions Document;
- they will have regard to other permanent payments made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- they will record its reasons for the determination of the Deputy Headteacher pay range.
- the Pay Panel will exercise its discretion to set the starting salary above the minimum of the Deputy Headteacher pay range, in order to secure the appointment of its preferred candidate and will benchmark externally to ensure competitive to attract the right candidates.

For replacement Deputy Headteacher roles, whereby the role and remit has not changed, the existing pay range will be used.

### **For serving Deputy Headteachers:**

- the Pay Panel will review pay in accordance with paragraph 9 of the School Teachers Pay and Conditions Document and may award up to two points where objectives are met and a significant contribution to school improvement is made and/or may award a bonus payment if the circumstances prove to be appropriate.
- the Pay Panel may determine the Deputy Headteacher pay range at any time in accordance with paragraph 9;
- the Pay Panel delegates to the Headteacher the agreement of performance objectives for pay purposes for the Deputy Headteacher. Objectives will be agreed and reported to the Pay Panel as early as possible in the autumn term. The Deputy Headteacher may agree objectives directly with the Pay Panel where agreement between the Headteacher and Deputy Headteacher is not achieved;
- the Pay Panel is conscious of its duty to set performance objectives in default of agreement. This power will only be exercised as a last resort, after the appeal procedure has been exhausted. The general pay appeals procedure will apply. The Deputy Headteacher is additionally entitled to submit a written statement commenting on any objectives set, which will be taken into account at the time of the review,

For replacement Assistant Headteacher roles, whereby the role and remit has not changed, the existing pay range will be used.

### **Assistant Headteacher Pay**

Where there is a proposed restructure which includes the role of Assistant Headteacher(s) the Local Governing Body will ask its Pay Panel to determine the pay range to be advertised and agree pay on appointment as follows:

- the Assistant Headteachers' pay range will be in accordance with the School Teachers Pay and Conditions Document;
- the pay range will have regard to the provisions and will also take account of any other permanent payments made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the Headteacher and Trust will exercise its discretion to set the starting salary above the minimum of the the Assistant Headteacher pay range, in order to secure the appointment of its preferred candidate.

## For serving Assistant Headteachers

- the Headteacher will review pay in accordance with the School Teachers Pay and Conditions Document, and may award up to two points where objectives are met and a significant contribution to the whole school improvement has been undertaken
- the Pay Panel may determine an Assistant Headteacher pay range at any time;
- the Pay Panel delegates to the Headteacher the agreement of performance objectives for the Assistant Headteacher. Objectives will be agreed and reported to the Pay Panel as early as possible in the autumn term. The Assistant Headteacher may agree objectives directly with the Pay Panel where agreement between the Headteacher and Assistant Headteacher is not achieved;
- the Pay Panel is conscious of its duty to set performance objectives in default of agreement. This power will only be exercised as a last resort, after the appeal procedure has been exhausted. The general pay appeals procedure will apply. The Assistant Headteacher is additionally entitled to submit a written statement commenting on any objectives set, which will be taken into account at the time of the review;

## Pay decisions

Staff can expect to progress, subject to available headroom and budgets, and provided they are not subject to formal or informal support to improve performance or are under investigation into potential gross misconduct. Decisions (for teaching staff) are made with reference to performance in line with the School Teacher's Pay and Conditions Document (STPCD) and decisions are made as follows:

Who	Pay Decisions
Chief Executive Officer	Trust Board – Remunerations Committee
Senior Executive Team	Chief Executive and Remunerations Committee
Headteachers	A panel of the Senior Executive Team
Deputy Headteachers/Assistant Headteachers	Pay Panel and Headteacher
Teaching Staff	Headteacher's recommendation to Pay Panel
Associate Staff	Headteacher
Central Services	Chief Executive Officer



## **Acting Allowances**

Acting allowances are payable to teachers who are assigned and carrying out the duties of Headteacher, Deputy Headteacher or Assistant Headteacher. In the event of an acting Headteacher the CEO/Director of HR will work with Remuneration Committee to agree the acting allowance. For Deputy Headteacher or Assistant Headteacher the CEO/Director of HR will agree with the Headteacher, within a four- week period of the commencement of acting duties, determine whether or not the acting post-holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher who carries out the duties of Headteacher, Deputy Headteacher, or Assistant Headteacher, for a period of four weeks or more, will be paid at an appropriate point of the Headteacher's ISR, Deputy Headteachers range or Assistant Headteacher range, as determined by the Pay Panel. Payment will be backdated to the commencement of the duties.

## **Pay Scale for Classroom Teachers (Qualified)**

### **Basic determination on Appointment**

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

In making such determinations, the Headteacher may take into account a range of factors

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

There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school. New teachers will start on the main point (M1, M2 etc.)

Classroom teachers will be paid in line with the relevant sections of the School Teachers Pay and Conditions Document in respect of Classroom teachers, post threshold teachers, unqualified teachers and where applicable Teaching and Learning responsibility points, recruitment and retention incentives, benefits and special educational needs allowances. Although the Trustees reserve the right to vary its pay and conditions School Teachers Pay and Conditions Document independently of the School Teachers Pay and Conditions Document if felt appropriate

The minimum and maximum of the salaries of classroom teachers will be determined by reference to the School Teachers Pay and Conditions Document. This Main Pay Scale (MPS) will be split into 6 full levels. The post threshold, Upper Pay Scale (UPS) will continue to be split into three sections UPS1/UPS2/UPS3

## **Lead Practitioner**

Such posts may be established for teachers whose primary purpose is the modelling and leading of teaching skills, where those duties fall outside the criteria for the TLR payment structure. If a teacher holds a Leading Practitioner post they cannot be allocated to a TLR post.

The Trusts Lead Practitioner range is LP3-7 to ensure pay equality with other ranges within the Trust.

## **Pay Progression based on Performance**

In all schools in the Trust all teachers can expect to receive regular constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the Trust Appraisal policy.

Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of ECT's, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence. We will ensure fairness by providing annual training to appraisers quality assurance of appraisal documents and target sampling by the Headteacher of each school

The evidence we shall use will include the widest range of data available including self – assessment, peer review, quality assurance activities (reviews and work scrutiny for example) tracking pupil progress, lesson observations and the views of pupils and parents

Headteachers will provide to the Pay Panel recommendations and confirmation the teacher is not subject to formal or informal support to improve performance or are under investigation into potential gross misconduct. Final decisions about whether or not to accept a pay recommendation will be made by the Pay Panel (or Trustees if Chief Executive Officer or Headteacher pay) having due regard to the appraisal report and taking into account advice from the senior leadership team. The Pay Panel/Local Governing Body will consider their approach in light of the school's budget and ensure that the appropriate funding is allocated for pay progression at all levels.

Judgement of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards, and how they have contributed to the impact on the pupil progress; the impact on wider outcomes for pupil; improvements in specific elements of practice, such as behaviour management or lesson planning; the impact if the effectiveness of teachers or other staff and/or made a wider contribution to the work of the school.

If a teacher exceeds the Teachers' Standards (Appendix 1) and exceed their appraisal objectives and makes a significant impact on student progress and outcomes and/or makes a significant contribution to school improvement progression deemed to be 'enhanced' this could result in a pay recommendation greater than 1 point. All teaching will be assessed as at least good with a large proportion being outstanding.

If a teacher meets the Teachers' Standards (Appendix 1) and meets their objectives, progression could be deemed as 'standard'. It is the expectation that most teachers should be able to progress in this way, which will result in a pay recommendation equal to one full level progression. All teaching will be assessed as at least good with some outstanding.

If the performance of a teacher falls some way short of standards and/or objectives, the recommendation will be that there is no pay progression, but without implying the need for capability procedures. All teaching will be at least satisfactory.

If the performance of a teacher falls short of acceptable professional standards, and objectives are not met, then the School will be expected to initiate capability procedures. Some teaching will be assessed as inadequate.

### **Teaching and Learning Responsibility (TLR) Payments**

A TLR may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning and for which the teacher is made accountable. TLRs will be awarded taking account of the published criteria.

TLRs will be safeguarded in accordance with School Teachers Pay and Conditions Document where the Trust amends the pay policy or where the school's staffing structure is amended.

New roles with TLR responsibilities will be advertised at least internally and the appointment process will involve a written application being made and an interview

### **Recruitment and Retention Incentives and Benefits: -**

The Trust has the discretion to make recruitment/retention payments in accordance with paragraph 27 of the School Teachers Pay and Conditions and Conditions Document. They may make such payments or provide other financial assistance, support or benefits to a teacher as they consider necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers.

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

- a) whether the award is for recruitment or retention;
- b) the nature of the award (cash sums, within annual salary or travel or housing costs etc.);
- c) when/how it will be paid (as applicable);
- d) unless it is a 'one-off' award, the start date and expected duration of the incentive;
- e) the review date after which it may be withdrawn; and
- f) the basis for any uplifts which will be applied (as applicable)

Where the Trust encounter difficulties in attracting experienced teaching staff from outside of the Trust the CEO or Director of HR have the discretion to attach a Welcome Payment to the post to help attract and engage applicants. The Welcome Payment is repayable if individual leaves within two years of joining the Trust.

The headteacher has the discretion to offer a single spine point increase following successful induction to Associate Staff who are appointed between 1 September and 28 February

### **Special Educational Needs Allowance**

The Trust notes its duty to award the first special needs allowance as required under the School Teachers Pay and Conditions Document. With the introduction of Hearing Impaired Units and Visual Impaired Unit the Local Governing Body can decide to exercise its powers under this provision.

### **Movement to the Upper Pay Range (UPS) Applications and Evidence**

Qualified teachers' may apply to be paid on the Upper Pay Range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range

**Applications may be made throughout the academic year but no later than 30 June to be considered in the September of the next academic year for progression.**

All applications should include the results of reviews or appraisals including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria

#### **The Assessment**

An application from a qualified teacher will be successful where the Local Governing Body are satisfied that:

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

For the purposes of this pay policy;

- **Highly competent** means meeting the descriptions of the upper pay range as outlined in Appendix 2 to this policy. In addition to this it should be recognised that those paid on the upper pay range will be performing at a standard good enough to provide coaching and mentoring to other teachers, give advice to them, and demonstrate to them effective teaching practice and furthermore, how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice.

- **Substantial** means a real importance, validity, or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning; and
- **Sustained** means maintained continuously over a long period e.g. at least 1 academic year. The application will be assessed by the Headteacher in consultation with the applicant's line manager, having regard to the appraisal document, examination results and any other evidence the applicant has provided. The Headteacher will make recommendations to the Pay Panel and their decision will be communicated in writing within 10 working days.

Any appeal against a decision not to move the teacher to the upper pay range will be heard under the appeal arrangement already detailed in the policy.

### **Unqualified Teachers**

The Trust will pay any unqualified teacher in accordance with the School Teachers Pay and Conditions Document. The Headteacher will determine where a newly appointed unqualified teacher will enter the pay range having regard to any qualifications or experience they may have, which they consider to be of value

### **Associate staff**

The Trust notes its powers to determine the pay of associate staff in accordance with schedule 38 and 39 of the School Standards and Framework Act 1998. This will be reviewed on an annual basis. The Headteacher will determine the pay grade of staff in accordance with the scale of grades currently applicable. However, the school must have regard to the responsibilities of the post and to the pay scales, terms and grading applicable for similar roles of work when deciding the grade for a post. The point of entry on the grade will usually be at the minimum point but the school may pay at a higher incremental point if this is justified by a new employee's skills or experience.

Pay progression will usually be by single increment, payable from 1<sup>st</sup> September each year, subject to six months service in the post, until the maximum of the range. Employees who are appointed, promoted or re-graded between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive will be paid their first increment six months after their date of commencement, thereafter by single increment on the 1<sup>st</sup> September each year, until the maximum of the range is reached. The Trust will agree annual pay awards effective from 1<sup>st</sup> September each year and staff will be informed of the revised pay scales at the appropriate time. Additional incremental increases are an exception and will be determined by a written business case by the line manager and were applicable documented changes to the role and job description. The Headteacher will ensure that budget is in place and that there is no detrimental impact on equal pay before any additional increment is applied. For staff joining from Skills for Life Trust pay progression dates are from 1<sup>st</sup> April each year. For staff promoted or re-graded between 1<sup>st</sup> September and end of February will be paid their first increment six months after their date of employment commenced.

Headteachers may use their discretion at offer stage to award a single increment increase to associate staff on completion of the induction period for new staff.

The school has discretion to temporarily re-grade staff who are covering for absent colleagues at a higher grade. Consideration can be given to the payment of an acting allowance once a member of the associate staff has been covering the duties of an absent colleague for more than four weeks, and may be backdated to the start of the acting up period. If the relevant duties and responsibilities are being shared then consideration may be given to paying an honorarium.

The school may consider payment of a discretionary payment in other situations, with the amount depending on the circumstances of each case. In general this is likely to be considered when an employee performs duties beyond their normal role for a specific task or over an extended period or where the additional duties and responsibilities are exceptionally onerous and required by the Headteacher.

Pay progression may be withheld where an employee is subject to a formal capability process or has been suspended pending an investigation into potential gross misconduct or has resigned or been dismissed subject to a notice period. Appeal procedures are set out above.

An additional duties/responsibilities allowance may be awarded to associate staff for undertaking sustained additional responsibilities. This should be reviewed annually or sooner whereby the additional duty is no longer required and/or undertaken. The additional duty should be reflected in a job description and advertised at least internally.

Any overtime should be pre-approved by the Headteacher or line manager prior to it being undertaken.

All year round staff will receive annual leave to be taken within the leave year (1<sup>st</sup> September to 31<sup>st</sup> August for original Beyond Schools Trust and 1<sup>st</sup> April to 31 March for joining Skills for Life Schools). Term Time Only staff cannot take leave, though salary reflects pay for holiday and public holidays. Payment in lieu of holiday entitlement for term time only staff will be included in the annual salary and paid monthly throughout the year. In the event of staff leaving a holiday recalculation will be undertaken to determine the correct accrued annual leave entitlement and where necessary adjustments will be made to the final salary. After five years of continuous service annual leave entitlement increases. Annual Leave is awarded based on maximum point range of salary banding.

### **For staff employed under the Kent Range**

The Trust will ensure that suitable arrangements are in place to assess the total contribution of all support staff and will use this assessment to determine annual pay progression decisions in accordance with the Kent Range.

The Trust will make appropriate use of any merit award or other reward system, both cash and non-cash, developed by KCC to recognise the performance and contribution of support staff in a positive and flexible way. The Trust will ensure that any such awards are made in accordance with the scheme's provisions.

This school will award an annual pay award for its support staff in accordance with the percentage increase determined by KCC.

## **Part-time Employees**

The Trust will apply the provisions of this policy on a pro rata basis to all part-time employees. The Pay Panel will act in accordance with the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 Act.

## **Leading Initial Teacher Training (ITT) Activities**

The Pay Panel will not remunerate staff in the above respect, since teachers with significant involvement in ITT receive pay recognition through TLRs, Leadership salaries or additional non-contact time.

## **Payment for Out of School Hours Learning Activity**

The Trust will agree to pay out of school hours learning activity for instance booster classes where approved by the Headteacher, applying either an hourly rate of pay or an agreed session rate.

Hourly rates (or an agreed session rate) of associate staff will be paid where the activity involves the supervision of children and is authorised in advance by the Headteacher.

### **Payments for adhoc duties, including lunch duty**

From time to time staff will be required to undertake an adhoc duty or perform occasional additional task that will be remunerated. Headteachers should ensure that equal pay is applied for consistency and transparency. This may include revision sessions, tuition and intervention. These payments do not form part of a contract of employment.

### **Payments for casual staff**

From time to time the Trust will engage casual staff to undertake tasks that are on an adhoc basis, this may include, for example, exam invigilation, to cover sickness, or decorating. Pay will usually be the hourly rate calculated from the salary value of the bottom spinal point of the grade for the role being covered. Such work is not subject to performance management or pay progression.

### **Safeguarding**

This applies to teachers paid a safeguarded sum under paragraphs of the Schools Teachers Pay and Conditions School Teachers Pay and Conditions Document. Where the amount exceeds £500 the Headteacher will advise the Pay Panel of additional duties assigned that are commensurate with the safeguarded sum. This will be withdrawn if the teacher refuses to carry out such duties. Safeguarding will cease when the conditions for safeguarding no longer pertain.

## **CONFIDENTIALITY**

It is essential that every individual involved in decisions about pay adheres to the strictest confidentiality and does not share any information to which they are party to with any unauthorised individual.



## TEACHING STANDARDS

### Part One: Teaching

#### 1. A teacher must:

##### 1. Set high expectations which inspire, motivate and challenge pupils;

- establish a safe and stimulating environment for pupils, rooted in mutual respect
- set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions
- demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

##### 2. Promote good progress and outcomes by pupils;

- be accountable for pupils' attainment, progress and outcomes
- be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these
- guide pupils to reflect on the progress they have made and their emerging needs

demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching

- encourage pupils to take a responsible and conscientious attitude to their own work and study.

##### 3. Demonstrate good subject and curriculum knowledge;

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship
- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject
- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies

#### **4. Plan and teach well - structured lessons;**

- impart knowledge and develop understanding through effective use of lesson time
- promote a love of learning and children's intellectual curiosity
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired
- reflect systematically on the effectiveness of lessons and approaches to teaching
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

#### **5. Adapt teaching to respond to the strengths and needs of all pupils;**

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively
- have a secure understanding of how a range of factors can inhibit pupils ability to learn, and how best to overcome these
- demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

#### **6. Make accurate and productive use of assessment;**

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements
- make use of formative and summative assessment to secure pupils' progress
- use relevant data to monitor progress, set targets, and plan subsequent lessons
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback

## **7. Manage behaviour effectively to ensure a good and safe learning environment;**

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

## **8 .Fulfil wider professional responsibilities;**

- make a positive contribution to the wider life and ethos of the school
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support
- deploy support staff effectively
- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues
- communicate effectively with parents with regard to pupils' achievements and well-being

### **Part Two: Personal and Professional conduct**

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
- showing tolerance of and respect for the rights of others

□ not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs

□ ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards in their own attendance and punctuality.

Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

## **POST THRESHOLD STANDARDS**

### **PROFESSIONAL ATTRIBUTES**

#### **Frameworks**

Contribute significantly, where appropriate to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

### **PROFESSIONAL KNOWLEDGE AND UNDERSTANDING**

#### **Teaching and Learning**

Have an extensive knowledge and understand if how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential

#### **Assessment and Monitoring**

Have an extensive knowledge and well informed understanding of the assessment requirement and arrangements for the subject /curriculum areas they teach including those related to public examination and qualifications.

Have up to date knowledge and understanding if different types of qualifications and specification and their suitability for meeting learners' needs,

#### **Subjects and Curriculum**

Have a more developed knowledge and understanding of their subject's/curriculum areas and related pedagogy including how learning progresses within them.

#### **Health and Well-being**

Have sufficient depth of knowledge and experience to be able to give advice on the development and well- being of children and young people.

### **PROFESSIONAL SKILLS**

#### **Planning**

Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject curriculum knowledge.

#### **Teaching**

Have teaching skills which lead to learners achieving well, relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

## **Team Working and Collaboration**

Promote collaboration and work effectively as a team member

Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

## APPEALS PROCEDURE

An employee who wishes to appeal a decision in relation to their pay must comply with this procedure. The matter should not be raised or dealt with under the Trust's Grievance Policy and Procedure. The reasons for seeking a review may include the person or Committee who made the decision having:

- (a) incorrectly applied any provision of the pay policy;
- (b) failed to have proper regard for statutory guidance;
- (c) failed to take proper account of relevant evidence;
- (d) took account of irrelevant or inaccurate evidence;
- (e) being biased; or
- (f) unlawfully discriminated against the employee.

The employee will receive written confirmation of the pay determination and where applicable the basis on which the decision was made. If the employee is not satisfied, they should seek to resolve this by raising the matter informally with the Headteacher within ten working days of the decision. The Headteacher will arrange a meeting without unreasonable delay.

If the employee is not satisfied with the outcome of the informal discussion with the Headteacher then they may follow the formal appeal process.

### FORMAL APPEAL PROCESS

The employee will provide in writing the specific grounds for questioning the pay decision together with evidence which they consider should be taken into account. The appeal letter must be sent to the person or committee who made the decision within ten working days of the pay determination or the informal

The employee will provide in writing the specific grounds for questioning the pay decision together with evidence which they consider should be taken into account. The appeal letter must be sent to the person or committee who made the decision within ten working days of the pay determination or the informal discussion with the Headteacher.

Three Governors or where not feasible Trustees who were not party to the original decision will form a panel to hear the appeal.

The appeal hearing should be held without unreasonable delay following receipt of the letter of appeal.

The panel may invite the Headteacher to the hearing and they will provide the meeting with any relevant information required by the Governors/Trustees. No specific information concerning the remuneration of other members of staff shall be given in the presence of the employee for whom the appeal is being heard. Where the panel requests such pay information from the Headteacher/Trust Head Office, it will be conveyed confidentially to them alone. The employee may ask questions of the Headteacher.

The employee will be given the opportunity to make representations in person and may be accompanied by a work colleague or union representative.

The panel will carefully consider all the evidence that is presented before making a decision. The outcome of the appeal will be communicated to the employee in writing without unreasonable delay and will include reasons for the decision.

The decision of the panel at the appeal hearing is final

## DEPARTMENT FOR EDUCATION EQUALITIES ADVICE

### Overview – The Equality Act 2010

1. Schools must not directly discriminate against anyone because of a relevant protected characteristic<sup>1</sup>. For example, if a school chooses not to give a female teacher a pay rise because she is pregnant, that is unlawful. Indirect discrimination is also potentially unlawful where, for example, a school's pay policy, though applied equally to all, might disadvantage a particular group.

2. When formulating pay policies and making pay decisions schools should take care to avoid discriminating against teachers on grounds of their protected characteristics. They should also ensure that part-time teachers<sup>2</sup> and fixed-term teachers<sup>3</sup> are not treated less favourably. At the same time, schools should recognise the benefits of taking equalities considerations seriously. A pay system that contributes to raising educational standards will also recognise and reward teachers fairly and appropriately.

3. All public authorities – including schools – must comply with the new Public Sector Equality Duty (PSED) introduced by the Equality Act 2014<sup>4</sup>. 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<sup>5</sup>

(ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it<sup>6</sup>

(iii) foster good relations between people who share a relevant protected characteristic and people who do not share it<sup>7</sup>.

4. The effect of the equality duty is that schools must have due regard to the needs at (i) to (iii) above in relation to the management of their pay policies. Public authorities are also required to prepare and publish equality objectives and publish information, to demonstrate compliance with the general duty<sup>8</sup>. Complying with the PSED will also assist schools in avoiding direct or indirect discrimination.

#### What this means for teachers' pay

5. The duty to have due regard to the needs set out above means in the context of teachers' pay that, whenever pay policies are amended or pay decisions made for individuals, decision-makers and appraisers in schools should assess whether there are implications for

<sup>1</sup> Protected characteristics are defined by the Equality Act 2010.

<sup>2</sup> Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

<sup>3</sup> Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

<sup>4</sup> Section 149 of the Equality Act 2010.

<sup>5</sup> Applies to all protected characteristics

<sup>6</sup> Applies to age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

<sup>7</sup> As per 6 above

<sup>8</sup> The Equality Act 2010 (Specific Duties) Regulations 2011



people with particular protected characteristics. In particular, equality should be considered in relation to:

- **Objective setting** – the nature and weighting of performance objectives agreed during a teacher’s appraisal should be non-discriminatory and should provide teachers with an equal opportunity to access pay progression. This will have implications for the training of appraisers and for the moderation of the appraisal arrangements at the school;
- **Pay progression criteria** – the nature and degree of challenge of pay progression criteria should be considered to avoid indirect discrimination.
- **Recommendations and decisions on teachers’ pay progression** – the outcomes should be recorded and reported, taking account of the profile/characteristics of those who are granted pay progression and those who do not receive pay progression;
- **The nature and scale of pay progression of teachers at the school** – in particular, where some teachers receive accelerated pay progression (e.g. double-jumping), the governing body should look at the profile/characteristics of the teachers concerned as against other teachers not in receipt of accelerated progression;
- **Appeals** – both in terms of teachers accessing the appeals process and the outcome of pay appeals at the school (the Department has produced additional departmental advice aimed at supporting schools with the appeals process).

6. In that regard it is good practice for schools to record what steps they undertake to avoid discrimination before and at the time that they develop policy and take decisions, and monitor the effectiveness of those steps in eliminating discrimination - they should also keep these under review on a continuing basis. Equality monitoring is the most effective and efficient method of identifying potential inequality in workplace policies and procedures. The Equality and Human Rights Commission (EHRC) has published a considerable amount of information to help employers undertake equality monitoring. Once potential inequalities have been identified, schools should take steps to amend arrangements in order to avoid discrimination. On-going equality analysis can assist schools in identifying any potential inequality and would help demonstrate that the school is attempting to eliminate discrimination and advance equality etc. A breakdown of pay decisions according to each protected characteristic (where applicable) would provide an initial snap-shot. Comparisons year on year would then show trends and may identify potential discriminatory practices or procedures.

7. It is also important that considerations about equality issues, either at a system level or for individual teachers, take account of the cumulative effect of decisions over time. For example, individual pay progression decisions in a particular year may in themselves be taken in accordance with the school’s pay policy. However, when all of the pay decisions in a school are looked at over a number of years, it may become apparent, for example, that a greater proportion of men received higher rates of pay progression or faster pay progression than women. This kind of pattern may be an indication of some form of inequality in the decision-making process and should come to light if the PSED is properly discharged. Indirect discrimination in pay decisions is more common than direct discrimination and is likely to be highlighted by annual equality monitoring of pay decisions.

8. Although, as set out above, it is important that schools embed equality throughout their management of the appraisal and pay determination process, there are some specific key areas where schools will want to take particular care in terms of ensuring that equality issues are properly considered and unlawful discrimination avoided.

#### **(i) Non-portability of salary**

9. Since September 2013, where a teacher moves from one school to another, the new school has no longer been required to match the teacher's previous salary. This new flexibility has enabled schools to better match an appropriate salary level to the specific post on offer. However, when considering new appointments and appropriate levels of salary, decisions must be taken within the context of ensuring that teachers are not discriminated against in that process on the ground of a protected characteristic. An example of this might be where a teacher returns to a school following a career break. Although it is good practice for a teacher and a school to agree the terms on which the teacher will return from the break, schools should also take into account the potential for indirect discrimination.

10. Schools should avoid discriminating against teachers returning to the profession following a career break whether they return to the same school or to another school. Blanket policies against pay portability are likely to disadvantage women teachers who have taken a break from teaching to give birth and/or to care for their children.

#### **(ii) Teachers who are on maternity or long-term disability or sickness absence**

11. Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision because of her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increases that she would have received, following appraisal, had she not been on maternity leave.

12. Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, including where a teacher has been absent for part or all of the reporting year.

13. In those circumstances, schools should ensure that the absent teacher receives fair treatment while ensuring the integrity and robustness of the school's appraisal process for all teachers. When considering these options, schools should seek to ensure that they minimise bureaucracy for all involved. Schools should consider conducting appraisals prior to individuals departing on maternity leave, even if this is early in the appraisal year, and basing any appraisal and pay determination on the evidence of performance to date in that appraisal year. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current year. However, schools should not require teachers to use Keeping in Touch (KIT) days for the purposes of appraisal.

14. Schools should ensure that their pay and appraisal policies incorporate any adjustments which can reasonably be made to give a teacher who is absent for disability related reasons an equal opportunity to participate in appraisal and to access pay progression. While there is no equivalent of the "maternity equality clause" (i.e. the clause that deems a woman to have received a pay rise to which she would have been entitled had she not been on maternity leave) in the Equality Act, schools should consider utilising the same range of options outlined above for teachers on maternity leave.

15. When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified.

### **(iii) Equal pay considerations**

16. Even where individual schools have robust pay policies in place and make pay decisions for individual teachers that are compliant with the direct discrimination provisions in the Equality Act, there is still the possibility for equal pay issues to arise. This may be where, for example, teachers seek to demonstrate that the pay policy in one school disadvantages teachers in that school compared to teachers in another employed by the same employer; and the former school had a greater proportion of either men or women affected by the respective pay policy. At this point, in order to successfully defend the claim, the employer of the teachers in both schools would need to be able to show objective justification for the difference in pay.

17. The principal means of preventing equal pay claims is for schools to ensure that individual pay decisions are fully compliant with the Equality Act as set out above, and that the duty to have due regard is discharged. Schools will need to satisfy themselves that pay decisions year on year are not indicating a pattern that might cause concern. This may be, for example, where a disproportionately higher number of men than women are receiving progression generally or higher rates of progression.

18. Schools should consider identifying: • the pay profile of teachers by 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.

19. The government is clear that the duties on schools and employers should not be overly burdensome and schools and local authorities will need to consider how to make best use of the data they already collect in relation to pay and how this may change as pay policies and schools' confidence in using and refining them mature over time.