

## **WESTFIELD PRIMARY SCHOOL**

### **PAY POLICY- TEACHING STAFF ONLY**

#### **1. INTRODUCTION**

- 1.1 This policy applies to all employees of the School and where appropriate distinguishes between teacher and support staff. It complies with and should be applied in accordance with the School Teachers' Pay & Conditions of Employment (STPCD 2010 and as amended from time to time) and the NJC Agreement. In the event of any conflicting provisions between this policy and the STPCD, the STPCD will take precedence. For the avoidance of doubt this policy does not form part of the terms and conditions of your employment with the School and is not intended to have contractual effect. The School reserves the right to amend or vary this policy subject to the minimum requirements and provisions in the STPCD from time to time in force and will notify employees within 1 month of any such changes taking effect.
- 1.2 The focus of this policy is to attract, retain, develop and reward staff of the right calibre in order to maximise the educational opportunities for the pupils of this School. This will be achieved by adopting the principles of the Every Child Matters strategy.
- 1.3 Unless otherwise stated, the words of this Policy shall have the same meaning as the words in the STPCD.
- 1.4 Decisions relating to pay progression will be based upon clear evidence relating to the School's Performance Management Procedures. Determining pay should be non-discriminatory, fair and consistent to seniority, grade, pay and in all other respects, consistent, and reasonable.
- 1.5 The Governors will ensure that the staffing structure meets the operational and developmental needs of the School. This policy will be reviewed in light of any future revisions to the staffing structure, which should remain constantly under review, and in certain circumstances, will be subject to consultation.
- 1.6 The policy reflects the aims and objectives that are incorporated in the School Development Plan.

#### **2. ROLES AND RESPONSIBILITIES**

- 2.1 The Governing Body is responsible for establishing and enforcing this policy. The Governing Body administers the Pay Policy. It will review the

pay policy in the Autumn term of each academic year. All members must treat all information relating to staff remuneration as confidential.

- 2.2 The Governing Body is responsible for implementing the pay policy and reviewing salaries in consideration of the School's financial budget plan. Where circumstances dictate, the Governors reserve the right to consider a salary review or make discretionary payments at any time.

### **3. GENERAL PRINCIPLES**

- 3.1 All teachers will be paid in accordance with the current statutory provisions of the STPCD. Support staff will be paid in accordance with the NJC guidelines and/or local agreements as updated from time to time. A copy of the latest version of the STPCD is available in the School office and is also on-line at [www.teachernet.gov.uk](http://www.teachernet.gov.uk)
- 3.2 The Headteacher is responsible for recommending decisions to the Governing Body relating to the pay of teaching staff on the Main Pay Scale, and support staff.
- 3.3 The Governing Body is responsible for determining and reviewing Individual School Ranges (**ISR**) and pay for teaching staff on the Leadership Scale including the Headteacher.
- 3.4 This policy should be read in conjunction with the School's policies and procedures from time to time in force. Where an employee is subject to the formal stage of the Capability Procedure, pay reviews may be suspended pending a satisfactory outcome of the process.
- 3.5 All employees have the right to be accompanied at any formal stage of the appeals process by a Trade Union representative or an appropriate work colleague who does not have a conflict of interest.
- 3.6 Where an employee is absent due to long term sickness absence at the time of a salary review, decisions will be contingent upon individual circumstances and based on the employee's performance during relevant periods of attendance during the Academic year in question.
- 3.7 Where an employee is absent due to maternity leave, decisions will be no less favourable than if the employee had not been absent due to reasons related to maternity.
- 3.8 An employee may request a review of his/her pay determination. A teacher who wishes to appeal a determination in relation to his/her pay must comply with the procedure under this Policy as set out in Appendix A.

#### **4. CONFIDENTIALITY**

All involved in this policy are reminded of the importance of confidentiality and must ensure that all information, whether verbal or written, is kept strictly confidential and not passed onto any persons who are not involved in the process. Disciplinary action may result from breaches of confidentiality.

#### **5. EQUAL OPPORTUNITIES**

This policy will be applied fairly and consistently to all employees regardless of gender, gender reassignment, race, religion or belief, ethnicity, national origin, age, marital status or civil partnership, disability, sexual orientation, pregnancy or maternity, part-time/fixed-term status or the number of hours worked.

#### **6. PAY REVIEWS**

6.1 Each year the Governing Body will review salaries:

- (a) during the Spring term for support staff effective from 1st April; the Autumn term for teaching staff, effective from 1st September and no later than 31 October;
- (b) by 31st December for the Headteacher, effective from 1st September prior to the review.

6.2 A salary statement will be issued to employees within one month of the review. It will show an assessment of basic salary and any allowances awarded.

6.3 Reviews may take place at other times of the year to reflect any changes in circumstances or job description that lead to a change in the basis for calculating an individual's pay. A written statement will be given after any review or changes to pay arrangements and where applicable will give information about the basis on which it was made.

6.4 Where a pay determination leads or may lead to the start of a period of safeguarding or as notified to the employee for and on behalf of the Governing Body, the Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination.

**The following paragraphs of the Pay Policy refer to Teaching Staff only.**

## **7. TEACHING STAFF**

### **7.1 Discretionary experience points**

When placing a classroom teacher on the main scale, the Headteacher may recommend that the Governing Body considers awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points. Examples to be considered may include, but are not limited to:

- (a) One point on the main scale for each year of service as a qualified teacher in an Academy, a city technology college, a city college for the technology of the arts or an independent school.
- (b) One point on the main scale for each period of 1 year of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned.
- (c) One point on the main scale for each period of 1 year of service teaching in further education, including sixth form colleges.
- (d) One point on the main scale for each period of 1 year of service teaching in higher education.

At their absolute discretion the Headteacher may also consider awarding, on a case by case basis, one point on the scale for each period of 3 years spent outside teaching but working in a relevant area. (This might include industrial or commercial training, and experience with children/young people.)

### **7.2 Part-time teachers**

Teachers employed at the School but who work less than the full time equivalent of the role for which they are employed are deemed to be part-time. The Governing Body will provide a written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the School's timetable teaching week for a full time teacher in an equivalent post.

### **7.3 Short Notice/Supply Teachers**

Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of the STPCD (2010 and as amended from time to time) on a daily basis calculated on the assumption

that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 (1265 hrs/195 days) or the total length of the School's pupil day to arrive at the hourly rate.

#### **7.4 Unqualified teachers/Overseas Trained Teachers**

When determining on which point to place unqualified teachers on the unqualified teachers' pay scale, the Headteacher will recommend to the Governing Body whether any relevant qualifications and experience should be considered. Circumstances where unqualified teachers may be appointed above the minimum point include but are not limited to:

- (a) Qualifications
  - (i) one point for a recognised overseas teaching qualification.
  - (ii) one point for a recognised post-16 teaching qualification.
  - (iii) one point for a recognised qualification relevant to their subject area.
- (b) Experience
  - (i) one point for each year of service as an overseas-trained teacher.
  - (ii) one point for each year of service teaching in further education, including sixth form colleges.
  - (iii) one point for each year of service teaching in higher education.

At their absolute discretion, the Headteacher may also consider awarding, on a case by case basis, one point for each period of three years spent outside teaching but working in a relevant area. (This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the School, and experience with children/young people.)

#### **7.5 Unqualified teachers' allowance**

The Governing Body may pay an unqualified teachers' allowance to unqualified teachers when the Governing Body consider their basic salary is not adequate having regard to their responsibilities, qualifications and experience.

The Governing Body will pay an unqualified teacher on one of the employment based routes into teaching on the qualified/unqualified teachers' scale.

#### PERFORMANCE PAY

- 7.6 The Governing Body agrees the School budget and will ensure that appropriate funding is allocated for confirmed performance pay progression at all levels.
- 7.7 The Headteacher and Deputy must demonstrate
- (a) sustained high quality of performance;
  - (b) with particular regard to leadership, management and pupil progress at the School; and
  - (c) will be subject to a review of performance against performance objectives before any performance points will be awarded.
- 7.8 The Leadership Group pay progression criteria will apply.

#### 7.9 **Bonus payments**

If a teacher's contract of employment provides for bonus pay entitlement, the Governing Body reserves the right to pay bonus payments (non-pensionable) where exceptional performance is evident. The Governors recognise that funding should be taken into account when considering bonus payments.

#### 7.10 **Headteacher**

- (a) The Governing Body will be able to consult with the School Improvement Partner (Dr. Gloria Birks) on matters relating to the Headteacher's performance should it wish to do so.
- (b) Annual pay progression within the range for this post is not automatic. Progression (if any) along the Headteacher's pay grade will depend upon performance in relation to agreed objectives. In addition the Governors reserve the right to award bonus payments where exceptional performance is evident.
- (c) The Governing Body will consider whether to award one or two pay progression points in accordance with the provisions of the STPCD from time to time in force.
- (d) The Headteacher's pay grade can be changed by the Governing Body at any time in order to attract or retain a Headteacher or when there have been significant changes in the responsibilities of the Headteacher.

The Headteacher should be aware that it is not permissible (under the STPCD (2010) and as amended from time to time in force) for a Headteacher to receive an increase in spinal point outside of the previous year's Individual School Range (ISR), unless the additional point (or more) is required for them to be placed on the minimum point of the new range.

#### 7.11 **Deputies and Assistant Heads**

- (a) Annual pay progression within the range for this post is not automatic. Progression (if any) along the appropriate pay grade will depend upon performance in relation to agreed objectives. In addition the Governors, in their absolute discretion, reserve the right to award bonus payments where exceptional performance is evident.
- (b) The Governing Body will consider whether to award one or two pay progression points in accordance with the provisions of the STPCD from time to time in force.
- (c) The appropriate pay grade can be changed by the Governing Body at any time in order to attract or retain a Deputy or Assistant Headteacher or when there have been significant changes in the responsibilities of the serving Deputy or Assistant Headteacher.

#### 7.12 **Advanced Skills Teachers (ASTs)**

- (a) Annual pay progression within the range for this post is **not automatic**. ASTs must demonstrate sustained high quality of performance and continue to meet their agreed performance criteria; this will be reviewed before any performance points will be awarded. Any work undertaken at other schools, in higher education facilities, at facilities of the LEA and elsewhere will be taken into account. The AST progression criteria will apply.
- (b) The Governing Body will consider whether to award one or two pay progression points in accordance with the provisions of the STPCD from time to time in force.

#### 7.13 **Excellent Teachers (ET)**

The Governing Body has determined that currently no excellent teacher posts are to be included in the School staffing structure which is attached.

#### 7.14 **Threshold Assessment**

Teachers who wish to do so should apply for threshold assessment to the Year. A successful application will be paid with effect from 1 September of that Academic Year.

#### 7.15 **Post Threshold teachers**

Progression on UPS will be based on the satisfactory and successful attainment of the target area required and discussed under two consecutive performance management reviews.

The criteria for upper pay scale progression will apply. Progression depends upon:

- (a) continuing to satisfy Threshold Standards;
- (b) Satisfactory evidence of professional growth and pupil learning and progress during the previous two years;
- (c) satisfactory performance against performance management objectives during the previous two years; and
- (d) continuing to meet professional standards and continue to grow professionally.

Only in exceptional circumstances will post-threshold teachers be awarded a further point on the Upper Pay Scale more frequently than at two yearly intervals

#### **7.16 Classroom teachers on the main scale**

- (a) Main scale classroom teachers will receive one extra point for each year of satisfactory performance. Unsatisfactory performers are considered to be those subject to formal capability proceedings but may receive a point at the discretion of the Governing Body.
- (b) The Governing Body may consider movement by more than one point for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching.

#### **7.17 Teaching and Learning Responsibility Payments (TLRs)**

- (a) TLRs will be awarded to posts identified in the School's staffing structure.
- (b) The values of the TLRs to be awarded are as notified by the School from time to time.
- (c) To qualify for a TLR payment the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and is:
  - (i) focused on teaching and learning;
  - (ii) requires the exercise of a teacher's professional skills and judgement;
  - (iii) requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;

- (iv) has an impact on the educational progress of other than the teacher assigned classes or groups of pupils; and
- (v) involves leading developing, and enhancing the teaching practice of other staff.

In addition, before awarding a TLR 1 payment, the Governing Body must be satisfied that the significant responsibility defined above includes line management responsibility for a significant number of people.

#### **7.18 Special educational needs allowances**

The Governing Body must award a SEN allowance to a classroom teacher:

- (a) In any SEN post that requires a mandatory SEN qualification;
- (b) In a special school;
- (c) Who teaches pupils in one or more designated special classes or units in a School, or in the case of an unattached teacher, in a local authority unit or service;
- (d) In any non-designated setting (including any short stay school in England) that is similar to a designated special class or unit, where the post:
  - (i) Involves a substantial element of working directly with children with special educational needs;
  - (ii) Requires the exercise of a teacher's professional skills and judgment in the teaching of children with special educational needs; and
  - (iii) Has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the School or unit or service.

Where a SEN allowance is to be paid, the Governing Body must determine the spot value of the allowance, taking into account the structure of the School's SEN provision and the following factors:

- (a) Whether any mandatory qualifications are required for the post;
- (b) The qualifications or expertise of the teacher relevant to the post; and
- (c) The relative demands of the post.

#### **7.19 Continuing Professional Development**

At the absolute discretion of the Headteacher, and where he recommends to the Governing body, teachers (including the Headteacher) who

undertake relevant voluntary continuing professional development outside the School day may be entitled to an additional payment.

#### **7.20 Initial teacher training activities**

Teachers (including the Headteacher) who undertake voluntarily School-based initial teacher training activities are not currently entitled to a payment.

#### **7.21 Out-of-school learning activities**

Teachers (including the Headteacher) who agree to provide learning activities outside of the normal School hours and whose salary range does not take account of such activity will be entitled to a payment determined by the Governing Body.

#### **7.22 Recruitment and retention incentives and benefits**

- (a) The Governing Body may pay recruitment allowances as they see fit for a maximum of three years or:
  - (i) where there are significant difficulties in recruiting staff with particular skills or qualifications; or
  - (ii) where it is clearly established that the quality of the potential employee will substantially improve learning opportunities for students.

Alternatively a non-pensionable recruitment bonus may be paid.

- (b) The Governing Body may pay retention allowances for a maximum of three years. This may be extended in exceptional circumstances.
- (c) Other benefits may be paid instead of salary enhancement either in part or wholly.
- (d) Where an individual qualifies for a recruitment bonus, payment will be to the member of staff 6 months following the individual's date of commencement with the School, and will be dependent upon the individual maintaining a satisfactory level of performance.
- (e) Where a recruitment or retention allowance is paid to an individual employee, this will not create an automatic entitlement to further allowances, which will be determined on criteria applicable at the time of assessment.
- (f) The Governing Body will review the level of payment/benefits annually.

## **APPENDIX A – APPEALS PROCEDURE**

### **1. PRINCIPLES**

1.1 An employee may request a review of his/her pay determination. A teacher who wishes to appeal a determination in relation to his/her pay must comply with the procedure under this Policy. The matter should not be raised or dealt with under the School's Grievance Policy and Procedure. The reasons for seeking a review may include but are not limited to 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 individual.

1.2 The teacher will receive written confirmation of the pay determination and where applicable the basis on which the decision was made. If the teacher is not satisfied, he/she should seek to resolve this by raising the matter informally with the Headteacher within ten working days of the decision. If the Headteacher considers it necessary then a meeting will be arranged without unreasonable delay.

1.3 If the individual is not satisfied with the outcome of the informal discussion with the Headteacher then he/she may follow the formal appeal process.

### **2. FORMAL APPEAL PROCESS**

2.1 The individual will provide in writing the specific grounds for questioning the pay decision together with evidence which s/he considers should be taken into account. The individual will send his/her appeal letter to the person or committee who made the determination within ten working days of the pay determination or the informal discussion with the Headteacher.

2.2 Three Governors who were not party to the original decision will hear the appeal.

2.3 The appeal hearing should be held without unreasonable delay following receipt of the letter of appeal being received by the Clerk to the Governing Body.

- 2.4 The Governors may invite the Headteacher to the hearing and he/she will provide the meeting with any relevant information required by the Governors. No specific information concerning the remuneration of other members of staff shall be given in the presence of the individual for whom the appeal is being heard. Where the Governors request such pay information from the Headteacher, it will be conveyed confidentially to them alone. The individual may ask questions of the Headteacher.
- 2.5 The individual will be given the opportunity to make representations in person and may be accompanied by a work colleague or Union Representative if they wish.
- 2.6 The decision of the appeal hearing will be given in writing to the individual, with a copy to the Headteacher. This letter should explain the reasons for the decision.
- 2.7 The decision of the Governors at the appeal hearing is final.

## **APPENDIX B – Pay Committee**

The Pay Committee membership will be a *minimum of 3 Governors*.

The Headteacher may attend in an advisory capacity and will withdraw when his/her salary is under consideration.

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 implement the Pay Policy in a fair and objective manner and to consider any individual representations that may be made in respect of pay decisions;
- To undertake an annual pay review for each member of staff based on the criteria set out in the Pay Policy,
- To observe all statutory and contractual obligations, including making arrangements to notify pay decisions to individual members of staff within appropriate timescales;
- To minute clearly the reasons for all decisions and report these decisions to the next meeting of the Governing Body;
- To recommend to the Governing Body the annual budget required for pay purposes, including provision for discretionary pay advancement arising from performance reviews;
- To keep informed of relevant developments including legislation and statutory guidance affecting the Pay Policy and to review and to recommend changes or modification to the Governing Body, as appropriate and at least annually;
- To carry out the performance review of the Headteacher;
- To work with the School Improvement Partner.