

Hertfordshire County Council

Children, Schools and Families

Model Policies for Schools

Model Pay Policy for Secondary, Middle & Secondary Special Schools

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PREFACE

Governing Bodies have a statutory duty to have a pay policy in place which sets out the basis on which they determine pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all staff and minimise the prospect of disputes and legal challenge or pay decisions.

This document provides schools with a sample pay policy for a fictitious Secondary/Secondary Special School. The information has been drawn from actual Hertfordshire schools and the model pay policy for schools published by teachernet.

The following sections, which are highlighted in bold italics, are areas where the Governing Body may have different agreements in place. For example this sample policy refers to Anytown Secondary School having a Personnel Committee, but you may need to change this to a different type of committee for your particular school.

Section 3, Personnel Committee.

Section 5.4, Excellent Teachers

Section 7.1, TLR's

A copy of the school's staffing structure must be added as an appendix to this document.

ANYTOWN SECONDARY SCHOOL POLICY ON STAFF PAY

1. PURPOSE, SCOPE AND PRINCIPLES

This procedure applies to:

- all employees of the school, including the Headteacher
- staff in units or bases that are attached to the school.

The procedure does not apply to:

- staff who are centrally employed by the Local Authority (LA) **and** who work solely at the school;
- peripatetic staff who are centrally employed by the LA;
- schools meals staff employed by Hertfordshire Catering or by an external contractor;
- employees of external contractors and providers of services (e.g. contract cleaners).

(Such staff are covered by the relevant procedures of their employing Body)

All teachers employed at the school are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document. A copy can be found in the school office and is also available to download from the teachernet website:

<http://www.teachernet.gov.uk/payandperformance>

All support staff employed at the school are paid in accordance with the National Conditions of Service for Local Government Employees.

All pay-related decisions are made taking full account of the school development plan and staff and unions have been consulted on this policy. All pay related decisions are taken in compliance with legal requirements on discrimination.

2. PAY REVIEWS (TEACHERS)

The Governing Body will review every teacher's salary (except in the case of the Headteacher) with effect from 1 September and no later than 31 October each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled. In the case of the Headteacher, the review will take place no later than 31st December. 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 and where applicable will give information about the basis on which it was made.

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

3. DECISIONS ABOUT PAY (TEACHERS)

The Governing Body's duty to make decisions about pay will be carried out by the Personnel Committee.

The Chair of the Personnel Committee will appoint two governors (who may include the chair and who need not be members of the Personnel Committee) to appraise the Headteacher and make recommendations about his/her pay.

Recommendations will be made to the Personnel Committee in the form of a list with brief supporting information. It is not the role of the committee to get involved in the detail of performance assessments. These are professional judgements that are the operational responsibility of the Headteacher. The role of the committee is to assure itself that a proper process of assessment has been carried out, and, to that end, the committee may require access to the underlying performance information about an individual.

Any teacher who is dissatisfied with the outcome of his/her pay review has the right of appeal.

4. APPEALS

4.1 Appeals for Teachers

In matters relating to pay the teacher has one and only one opportunity to appeal.

The arrangements for considering appeals for Teachers are as follows:

A teacher may appeal against any determination in relation to his/her pay or any other decision taken by the Governing Body that affects his/her pay.

At any stage of the appeal, a teacher may be accompanied by and represented by a work colleague or trade union or professional association representative and no one else.

The following list which is not exhaustive includes the usual reasons for appealing against a pay determination.

That the person or committee by whom the decision was made:

- a. incorrectly applied any provision of the STPCD;
- 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. was biased; or
- f. otherwise unlawfully discriminated against the teacher.

4.2 The order of proceedings

The order of proceedings for hearing appeals, which meet the requirements of the dispute resolution provisions, is as follows:

- The teacher receives 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 discussing the matter informally with the Headteacher within ten working days of the decision.
- Where this is not possible or where the teacher continues to be dissatisfied, he/she may follow a formal appeal process.
- The teacher should set down in writing the grounds for questioning the pay decision (which must relate to the grounds as set out above) and send it to the person or committee who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
- Any appeal should be heard by a panel of three governors who were not involved in the determination, normally within 20 working days of the receipt of the written appeal notification. The Teacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

4.3 Appeals for support staff

The arrangements for considering appeals by support staff against pay decisions will be the same as those for teachers excluding references to the School Teachers' Pay and Conditions Document.

5. USE OF DISCRETIONS IN BASIC PAY DETERMINATION

5.1 Pay Range for Headteachers

The Governing Body will determine the pay range for the Headteacher when they propose to make a new appointment or at any time if they consider it necessary to retain a Headteacher, or if there has been a significant change in the responsibilities of the Headteacher.

A new Headteacher may be placed at any of the 3 bottom points of the 7 point Individual School Range (ISR).

5.2 Pay Range for Deputy and Assistant Headteachers

The Governing Body will determine the pay range for the Deputy Headteacher/s and Assistant Headteacher/s when it proposes to make new appointments or when there is a significant change in the responsibilities of the serving Deputy or Assistant Headteacher/s.

A new Deputy or Assistant Headteacher may be placed on any one of the bottom three points of their 5 point pay range.

5.3 Pay Range for Advanced Skills Teachers (AST)

A teacher may only be assessed for an AST post after having been selected for interview for that post. Newly appointed AST's must be placed on the lowest point of their 5 point range.

5.4 Excellent Teachers (ET)

A teacher will only be assessed for an ET post if the post is available in the school's staffing structure.

5.5 Discretionary experience points for classroom teachers

When appointing a classroom teacher to the main scale, the Governing Body will consider awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points in the following circumstances:

- 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 independent school.
- One point on the main scale for each period of two years 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.
- One point on the main scale for each period of two years of service teaching in further education, including sixth form colleges.
- One point on the main scale for each period of two years of service teaching in higher education.

The Governing Body will consider awarding on a case by case basis consistently, with regard to equal opportunities, fairness and transparency:

- One point on the scale 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.

5.6 Part-time teachers

Teachers employed on an ongoing basis at the school but who work less than a full working day or week are deemed to be part-time. The Governing Body will give them 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 timetabled teaching week for a full time teacher in an equivalent post.

5.7 Short notice/ supply teachers

Teachers employed on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

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 to arrive at the hourly rate.

5.8 Unqualified teachers

The Governing Body, will, when determining on which point to place unqualified teachers on the unqualified teachers' pay scale when they are appointed, take account of any relevant qualifications and experience. Unqualified teachers will be appointed above the minimum in the following circumstances:

5.8.1 Qualifications:

- Two points for a recognised overseas teaching qualification.
- One point for a recognised post-16 teaching qualification.
- One point for a recognised qualification relevant to their subject area.

5.8.2 Experience:

- One point on the main scale for each period of two years of service as an overseas-trained teacher.
- One point on the main scale for each period of two years of service teaching in further education, including sixth form colleges.
- One point on the main scale for each period of two years of service teaching in higher education

The Governing Body will consider awarding on a case by case basis consistently, with regard to equal opportunities, fairness and transparency:

- One point on the scale 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.

5.8.3 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. Such allowances will not exceed any additional payments awarded to a qualified teacher with similar responsibilities and experience.

5.9 Support Staff

In determining the pay of support staff, account will be taken of relevant model job descriptions, job evaluation and grades of Hertfordshire County Council (HCC). The Governing Body is legally entitled to devise and grade its own posts and will do so only in circumstances when there is no appropriate HCC job description. Such decisions will be made by the Headteacher after consulting the Chair of the Personnel Committee.

6. PAY PROGRESSION

The Governing Body agrees the school budget and will ensure that appropriate funding is allocated for pay progression at all levels. The Governing Body recognises that funding cannot be used as a criterion to determine progression.

6.1 Headteacher

The Headteacher must demonstrate sustained high quality of performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded. The clarification of the application of the criteria (as set out in the STPCD) for Leadership Group progression will be taken fully into account when considering progression.

Annual pay progression within the range for this post is not automatic. The Governing Body will consider whether to award one or two pay progression points.

6.2 Deputies and Assistant Headteachers

Deputies and Assistant Headteachers must demonstrate sustained high quality of performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded. The clarification of the application of the criteria (as set out in the STPCD) for Leadership Group progression will be taken fully into account when considering progression.

Annual pay progression within the range for this post is not automatic. The Governing Body will consider whether to award one or two pay progression points.

6.3 Advanced Skills Teachers (ASTs)

ASTs must demonstrate sustained high quality of performance in the light of their agreed performance criteria and will be subject to a review of performance before any performance points will be awarded. This will include any work undertaken at the schools of other teachers, in higher education facilities, at facilities of the LEA and elsewhere. The clarification of the application of the criteria (as set out in the STPCD) for AST pay progression will be taken fully into account when considering progression.

Annual pay progression within the range for this post is not automatic. The Governing Body will consider whether to award one or two pay progression points.

6.4 Post Threshold teachers

The clarification of the application of the criteria for upper pay scale progression (as set out in the STPCD) will be taken fully into account.

Progression on the Upper Pay Scale (UPS) will be based on two successful consecutive performance management reviews.

A teacher who has been paid on the leadership scale for one year or more or who has been an AST, who transfers to a classroom teacher role will be considered a post threshold teacher and will be placed on the UPS. When deciding the appropriate point on UPS, the Governing Body will take account of the likely pay progression which the teacher would have earned had he/she remained as a class teacher.

6.5 Threshold Assessment

Teachers who wish to apply should inform the Headteacher that they wish to do so at any time in the year up to and including 31st August. Assessment against post threshold standards will be based on two successful consecutive performance management reviews.

6.6 Classroom teachers on the Main Scale

Main scale classroom teachers will receive one extra point for each year of satisfactory performance.

For those unsatisfactory performers who are subject to formal capability proceedings an extra point for performance will not be given.

A classroom teacher may be awarded an extra point on the main scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching as judged in their performance management.

7. DISCRETIONARY ALLOWANCES AND PAYMENTS

7.1 *Teaching and Learning responsibility payments (TLRs)*

TLRs are awarded to the holders of the posts indicated in the attached staffing structure. The values of the TLRs are set out below:

TLR2s are awarded to the following values:

£4038 to the holder of a Learning Manager post

£2442 to the holder of a Subject Leader post

TLR1s are awarded to the following values:

£8611 to the holder of a Curriculum Leader post

£6997 to the holder of a post 16 Learning Manager post

7.2 Special educational needs allowances (SEN)

7.2.1 Special Schools*

SEN allowance 1 will be awarded to all classroom teachers.

SEN allowance 2 will be awarded to classroom teachers who qualify for SEN allowance 1 and who hold a recognised special educational needs qualification and/or have recent experience which the Governing Body considers relevant to the teacher's work.

7.2.2 Mainstream Secondary Schools*

SEN allowance 1 will be awarded to those classroom teachers who are engaged wholly or mainly in taking charge of special classes of children who are hearing-impaired or visually impaired or who teach pupils with statements of special educational needs in designated special classes.

*(*delete as appropriate)*

8. OTHER PAYMENTS

8.1 Out of school learning activities

Additional payments will be made to staff who engage in activities to deliver Extended Services which are outside the school's core activities. Such services will have been approved for payment by the Governing Body in advance.

8.2 Recruitment and retention incentives and benefits (R&R)

In circumstances where there is evidence that a post is hard to fill, the Governing Body may make an additional payment in order to recruit or retain a teacher of suitable quality. Recruitment awards are paid for a maximum of three years. Retention awards are paid for a maximum of three years and may be extended only in exceptional circumstances.

The decision to make a recruitment or retention payment will rest with the Chair of the Personnel Committee on the recommendation of the Headteacher.

8.3 Honoraria for Support Staff

Honoraria payments may be made to support staff in cases of taking on additional responsibility or for exceptional performance. Such decisions will be made by the Headteacher after consulting with the Chair of the Personnel Committee.

8.4 Any other payments

The Governing Body acknowledges that from time to time circumstances may arise which are not covered in this document, e.g. Government Initiatives. In such circumstances the personnel committee will determine an appropriate rate of pay which is consistent with legal and contractual conditions of employment.