

**Author:** Hawthorn Tree School  
**Date approved by Governors:** November 2018  
**Date for review:** September 2019

## 1. INTRODUCTION

The School Teachers' Pay and Conditions Document (STPCD) requires schools and local authorities to have a pay policy which sets out the basis on which they determine teachers' pay; the date by which they will determine the teachers' annual pay review; and the procedures for determining appeals. Schools and local authorities must stay within the legal framework set out in the Document and in other relevant legislation that affects all employers (for example, legislation on equality, employment protection and data protection). All procedures for determining pay should be consistent with the principles of public life - objectivity, openness and accountability.

## 2. AIMS

The purpose of this policy is to provide a framework by which the Governing Body can:

- Create and support a teaching structure which responds to the current and future needs of the school as identified through its School Improvement Plan.
- Recognise the importance of pay in recruiting, motivating, retaining and rewarding the teaching staff.
- Value the contribution of every member of staff collectively and individually.
- Ensures that decisions on pay are managed in a fair, just and transparent way.

## 3. OBJECTIVES

The Governing Body is committed to achieving its aims by ensuring that this policy meets five key objectives:

- **Responding to school needs identified through:**
  - School Improvement Plan
  - Teachers' Appraisal Policy of the School
  - Staffing structure to deliver an appropriate academic and pastoral curriculum with dedicated support services
  - Other organisational needs - pupil numbers, recent staff movements, changing curriculum requirements (advice from Headteacher), staff recruitment
  - Inspection Reports
- **Conforming to any relevant legal requirements as framed in:**
  - Education Act 2002
  - School Standards and Framework Act 1998
  - Fairness at Work Act 1999
  - Teaching and Higher Education Act 1998
  - Employment Rights Act 1996
  - Education Act 1996
  - Equal Pay Act 1970
  - Employment Protection (Consolidation) Act 1978 and subsequent legislation
  - School Teachers' Pay and Conditions Document (STPCD)
  - National and Local Agreements

- Equality Act 2010
- **Demonstrating fairness and openness to all members of staff and in doing so recognise the implications for staff morale and motivation especially related to career development, retention and recruitment.**
- **Including procedures for consultation, advice, representations and if required access to the Appeals Process.**
- **Recognising budget considerations:**
  - Available funding
  - Prioritising all the needs of the school
  - Ability to sustain short-term and long-term discretionary pay decisions

#### **4. DELEGATION**

The Governing Body will delegate its powers to make discretionary payments, carry out regrading, enhance, accelerate, or withhold progression for teachers to the Pay Review Committee. This delegation of powers will be reviewed annually.

#### **5. PAY REVIEW PROCESS**

An annual pay review of all teaching staff, balanced against school needs and its current staffing structure will be undertaken on or before 31 October each year, with the Headteacher's review to be undertaken by 31 December. The procedure to be followed is in accordance with **Appendix 1** of this document.

5.1 The Governing Body will, in accordance with the school's Appraisal Policy, ensure that all members of the teaching staff have an annual performance review.

5.2 At the Pay Review meeting, the Headteacher will submit recommendations to the appropriate committee regarding a teacher's performance throughout the year and potential progression up the school's pay scale, in accordance with the principles of performance-related pay (**Appendix 5**).

5.3 There may be occasions when specific requests are received from individual members of teaching staff at a time other than the annual review. When the Pay Review Committee deems it appropriate to consider an individual request at that time, then the procedures included as **Appendix 1** of this document will be followed.

5.4 The school must have in place arrangements to deal fairly with any appeal arising out of appraisal reviews. Details of the appeals mechanism are included within the current Teacher Appraisal Policy.

5.5 Teachers may appeal against the salary review as described in **Appendix 2**, which performs the function of the grievance procedure on pay matters.

Teachers have the right to raise formal appeals against pay determinations if they believe that the committee by whom the decision was made:

- a) incorrectly applied the school's pay policy;
- b) incorrectly applied any provision of the STPCD;
- c) failed to have proper regard to statutory guidance;
- d) failed to take proper account of relevant evidence;
- e) took account of irrelevant or inaccurate evidence;
- f) was biased; or

g) unlawfully discriminated against the teacher.

## 6. CONFIDENTIALITY AND RECORD KEEPING

Under the Freedom of Information Act 2000 the Governing Body will publish this pay policy through its scheme of publication. A copy of the policy will be made available to staff annually.

## 7. PAY DETERMINATION ON APPOINTMENT

On appointment the Governing Body will determine the starting salary to be offered to the successful candidate. In making such determinations, the Governing Body will take into account a range of factors, including the nature of the post; the level of qualifications, skills and experience required; market conditions and the wider school context.

Whilst there is no longer an assumption that a teacher will be paid at the same rate as they were being paid in a previous school, in this school, full assessment of the teacher's leaving salary and experience will be undertaken when assessing their starting salary.

The LA has adopted the following discretionary pay ranges:

Main pay range	September 2018
M1 (minimum)	£23,720
M2	£25,594
M3	£27,652
M4	£29,780
M5	£32,126
M6 (maximum)	£35,008

Upper pay range	September 2018
UPR 1	£36,646
UPR 2	£38,004
UPR 3	£39,406

Unqualified teachers	September 2018
UQT 1	£17,208
UQT 2	£19,210
UQT 3	£21,210

UQT 4	£23,212
UQT 5	£25,215
UQT 6	£27,216

Leadership	September 2018
1	£39,965
2	£40,966
3	£41,989
4	£43,034
5	£44,106
6	£45,213
7	£46,430
8	£47,501
9	£48,687
10	£49,937
11	£51,234
12	£52,414
13	£53,724
14	£55,064
15	£56,434
16	£57,934
17	£59,265
18	£60,755
19	£62,262
20	£63,806
21	£65,384
22	£67,008
23	£68,667

24	£70,370
25	£72,119
26	£73,903
27	£75,735
28	£77,613
29	£79,535
30	£81,515
31	£83,528
32	£85,605
33	£87,732
34	£89,900
35	£92,135
36	£94,416
37	£96,763
38	£99,158
39	£101,574
40	£104,109
41	£106,709
42	£109,383
43	£111,007

### **8. PAY PROGRESSION BASED ON PERFORMANCE**

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 school's teacher appraisal policy.

From September 2014, decisions regarding pay progression are made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, 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 and a process of continued dialogue, review and support between the Headteacher and staff. The school will ensure fairness by ensuring the appraiser is well equipped to lead and manage the process. At Hawthorn Tree School, the Headteacher will be responsible for the appraisal of teacher's performance. The Headteacher will take responsibility for monitoring and moderating the consistency of objectives and assessments, and for making the final recommendation to the Pay Review Committee.

The evidence we will use for progress will be gathered through the process of teacher appraisal and may include *scrutiny of work, tracking pupil progress, lesson observations from appraisal, etc.*

Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by members of the Pay Review Committee of the Governing Body, having regard to the evidence presented, the appraisal report and taking into account advice from the Headteacher. The Committee will consider its approach in the light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels.

All performance measures in this school will be absolute and based on outcomes from formal appraisal.

#### **Absolute performance measures**

In this school judgements of performance will be made against the extent to which teachers have met their individual objectives, the Teachers' Standards 2012 for the main pay scale, and the Post-threshold Standards where appropriate.

The rate of progression will be differentiated according to an individual teacher's performance and will be on the basis of absolute criteria.

Teachers will be eligible for pay progression if they meet their individual objectives, meet the Teachers' Standards 2012 and the Post-threshold Standards where appropriate, in full and demonstrate that their teaching is at least good.

Teachers may be eligible to make two levels of progress up the pay scale if they exceed all their individual objectives, are assessed as fully meeting the relevant standards and all of their teaching is consistently assessed as outstanding.

### **MOVEMENT TO THE UPPER PAY RANGE**

#### **Applications and Evidence**

Any qualified teacher 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 in accordance with this policy and must be received by 31 October and will be effective from 1 September in the same year.

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This school will not be bound by any pay decision made by another school.

All applications should include the results of reviews or appraisals under the 2012 regulations. Applicants should apply in writing to the Headteacher using their own chosen format making it clear how they have met the criteria. Completed applications should contain evidence of performance against the Post Threshold standards and information from two successful Appraisals.

#### **The Assessment for Movement to and Through the Upper Pay Spine**

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

(a) the teacher is **highly competent** in all elements of the relevant standards; and

(b) the teacher's achievements and contribution to the school are **substantial** and **sustained**.

For the purposes of this pay policy:

- 'highly competent' means:  
*performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and 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:  
*of 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 if appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning; and*
- 'sustained' means:  
*maintained continuously over a long period, 2 school years.*

The application will be assessed robustly, transparently and equitably by the Headteacher who will make the initial assessment and recommendation to the Pay Review Committee.

If deemed successful by the Pay Review Committee of the Governing Body, all applicants will move to the upper pay range from 1 September. All applications will commence at the lowest point of the pay range and will have the opportunity to progress biennially.

If unsuccessful, written feedback will be provided by the Headteacher explaining which of the Post Threshold Standards have not been met within 10 working days of the decision.

## **9. REVIEW OF STAFFING ESTABLISHMENT**

The school should review its staffing establishment at least annually to ensure it meets the needs of the school and has regard for any legislative changes. Where there are any changes, the school should enter into consultation with staff and unions.

9.1 Where the proposed changes are small, the recommended consultation would be two working weeks (or 10 working days). However, if the proposal is likely to affect more than 20% of staff in the school the recommended time for consultation would be four working weeks.

9.2 The consultation should be with staff and County Officers of each union. The following information should be included in the consultation:

- Current staffing structure
- Proposed staffing structure
- Job descriptions of new posts and similar posts at the same grade, if there are any
- Where the post is simply being amended, the current and proposed job description
- A statement with the rationale for the proposed change
- Implementation Plan showing timeline and how vacancies will be filled
- Financial Implications over a three year period

It will be for either the full Governing Body or the relevant committee to agree the proposal and details of the revised structure should be added to the Teachers' Pay Policy at **Appendix 8**.

## **10. CONSULTATION**

The Pay Review Committee will, in consultation with the Headteacher and after seeking advice from the Local Authority, undertake an annual review of the pay of individual members of teaching staff in the context of this Teachers' Pay Policy.

10.1 The Governing Body recognises its responsibility to keep members of teaching staff and recognised Trade Unions fully informed and individuals can expect to be kept informed of any decisions made by the Pay Review Committee in relation to their pay and be entitled to make representations to the Governing Body in connection with such matters.

10.2 Any grievance arising from decisions made by the Pay Review Committee will be heard by an Appeals Committee.

## **11. APPRAISAL**

The Governing Body considers the value of appraisal to lie in promoting staff development within the context of the school's Improvement Plan and teachers' professional needs (see Teachers' Appraisal Policy).

11.1 The Governing Body has an agreed Teacher Appraisal Policy in place. Decisions regarding pay progression are made with reference to the teachers' appraisal reports and pay recommendations in line with the principles of performance related pay.

11.2 The school has in place arrangements to deal fairly with any appeal arising out of appraisal reviews. Details of the appeals mechanism are included within the current Teachers' Appraisal Policy.

## **12. SAFEGUARDING**

The Governing Body will fulfil its statutory obligations with regard to safeguarding of pay in accordance with the current provisions of the STPCD. 9

## **13. OTHER SOURCES OF INFORMATION**

Schools can also access the following for national guidance:

<http://www.education.gov.uk> (Department for Education)

For access to current LA policies and documentation:

<https://www.lincolnshire.gov.uk/jobs/manuals/schools-employment-manual/pay-and-related-matters/132625.article>

Implementing your school's approach to pay:

<https://www.gov.uk/government/publications/reviewing-and-revising-school-teachers-pay> 10

## **APPENDIX 1**

### **TEACHERS' PAY POLICY**

#### **PAY REVIEW PROCEDURE**

1. A Pay Review Committee will be appointed by the Governing Body.
2. The Governing Body undertake an annual review of the following, prior to the Pay Review Committee meeting:
  - School Staffing Structure
  - Teachers' Pay Policy
  - Composition and Terms of Reference of the Pay Review Committee.
3. A Pay Appeals Committee will be appointed from those Governors who are not members of the Pay Review Committee.
4. It will be for each Committee to ensure that all their dealings are in accordance with the Committee procedures as set out in the relevant regulations.
5. The Pay Review Committee will undertake an annual review of the pay of teaching staff employed at the school. Normally, this review will take place during the Autumn Term. When necessary, the Committee will meet to consider individual representations from staff.
6. The Headteacher will make a written report including recommendations on pay progression made at Performance Review meetings to the Pay Review Committee regarding salaries of all teaching staff (with the exception of their own salary) for the year. In the case of the Headteacher, Pay Review reports from the Performance Management Governors will be used. If there is a written request to make additional payments to the Headteacher, or to increase the Leadership Pay Range (LPR), Governors should obtain advice from the LA. Such a review should be completed by the end of October for teachers and 31 December for Headteachers.
7. All changes to teaching staff salaries will be backdated to 1 September in the relevant year.
8. During any review the Pay Review Committee will direct its work towards meeting the needs of the school as identified in the School Improvement Plan and the objectives of this policy.
9. The Pay Review Committee will, either annually or at any other time, consider the relevance of job descriptions in line with the actual responsibilities of posts and remuneration and the work carried out by individual members of staff.
10. The Pay Review Committee will ensure that all proceedings and the reasons for any decision made are accurately recorded.
11. The Pay Review Committee will consider other ways in which staff can be supported through improved conditions and report to the Governing Body accordingly.
12. The Pay Review Committee will liaise with the LA so that full records of salary details are maintained and are available to individual members of staff.
13. The outcomes of the Pay Review Committee will be reported to the payroll section using form HR4 (available via the MOG) by the school.
14. The school will inform all staff in writing about the decisions of the Pay Review Committee, including their right of appeal.
15. Individuals making appeals against decisions on their individual pay will do so using the Pay Appeal Form in **Appendix 7**, or by letter.

## **APPENDIX 2 TEACHERS' PAY POLICY**

### **PROCEDURE TO BE FOLLOWED WHEN CONSIDERING APPEALS AGAINST DETERMINATION OF PAY FOR TEACHING STAFF**

#### **Introduction**

Chairperson to introduce the parties and outline procedure.

#### **Statement of Case by Applicant**

(i) The applicant (or his/her representative) to put his/her case.

(ii) The Headteacher or his/her representative will have the opportunity to ask questions of the applicant.

(iii) Members of the Committee will have the opportunity to ask questions of the applicant.

#### **Statement of Case by the School**

(iv) The Headteacher (or his/her representative) to put the case for the School.

(v) The applicant (or his/her representative) will have the opportunity to ask questions of the Headteacher.

(vi) The members of the Pay Appeals Committee will have the opportunity to ask questions of the Headteacher or his/her representative.

#### **Summing Up**

The Headteacher and the applicant (or his/her representative) have the opportunity to sum up their cases if they so wish.

#### **Parties to Withdraw**

Both Headteacher and applicant to withdraw.

#### **Consideration and the Decision of the Committee**

- The Committee will deliberate in private, with the Clerk to the Governors being present.
- The applicant will be notified, in writing, of the decision of the hearing.

## **APPENDIX 3**

### **TEACHERS' PAY POLICY**

#### **POINTS AND ALLOWANCES AVAILABLE FOR USE WHEN REVIEWING AND CALCULATING PAY FOR TEACHERS**

**The following guidance relates to the School Teachers Pay and Conditions Document 2015**

### **1. RESPONSIBILITY ALLOWANCES**

Teaching staff who undertake additional duties can be awarded responsibility allowances.

Classroom teachers can be paid one allowance under any of the categories or a combination of allowances. If awarded on a temporary basis the dates during which it will be effective will be clearly stated and reviewed before the expiry date. Good practice would indicate that the relevant body should undertake an annual pay review, including an assessment of each teacher's allowance/s if paid more than one. Such a system should allow for an appeal hearing.

#### **1.1 TEACHING AND LEARNING RESPONSIBILITIES (TLRs)**

TLR payments may be awarded to a classroom teacher for undertaking a sustained additional responsibility.

Posts to which TLRs are attached must meet the following criterion and factors:

- Criterion

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 for which he/she is made accountable.

- Factors

Before awarding a TLR the relevant body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- is focused on teaching and learning;
- requires the exercise of a teacher's professional skills and judgement;
- requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum (TLR 1 & 2);
- has an impact on the educational progress of other pupils other than the teacher's assigned classes or groups of pupils; and
- involves leading, developing and enhancing the teaching practice of other staff (TLR 1 & 2).

Before awarding a TLR1 the relevant body must be satisfied that the significant responsibility referred to above includes, in addition, the management responsibility for a significant number of people.

TLRs are permanent allowances and can only be awarded on a temporary basis if one of the following applies:

- to cover for maternity leave
- to cover for long term absence

- while a permanent appointment is made

The annual value of TLR's is as follows:

- TLR1 payments range from £7,699 - £13,027
- TLR2 payments range from £2,667 - £6,515
- TLR3 payments range from £529 - £2,630

In this school, TLR3s will be made available to classroom teachers who undertake a clearly time-limited or one-off school improvement project where there is a clearly identified need and the project fits securely within the remit of School Development. Therefore any such award of TLR3 will only be made on occasion and when appropriate.

The annual value of any TLR3 paid will be between £517 and £2,577 per annum, paid pro-rata for the duration of the fixed-term. This will be based on the complexity and duration of the school improvement project and be made clear when the post is advertised.

The duties undertaken will be focused on teaching and learning and meet the same criteria as for existing TLR payments.

Any such post-holder will be notified in writing of the remit of the post, the value of the TLR on a pro-rata basis and the expected outcomes of the project prior to the start of the work.

The school will consult with both staff and unions if such a post is introduced.

## 1.2 SPECIAL NEEDS ALLOWANCES

Teachers of pupils with special educational needs are eligible to receive an SEN allowance of no less than £2,106 and no more than £4,158 per annum in accordance with the following conditions:

- any SEN post that requires a mandatory SEN qualification
- works in a special school
- 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
- any non-designated setting (including any PRU) that is similar to a designated special class or unit, where the post involves a substantial element of working directly with children with special educational needs
- requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs and
- 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 within the school or, in the case of an unattached teacher, the unit or service.

Where a SEN allowance is to be paid, the relevant 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 qualification or expertise of the teacher relevant to the post and
- c) the relative demands of the post.

Where a teacher is in receipt of a SEN allowance awarded under an earlier Document, the relevant body must:

- (a) determine whether the teacher remains eligible to a SEN allowance in accordance with the new arrangements
- (b) if so, determine, the amount of that allowance.

### 1.3 RECRUITMENT AND RETENTION INCENTIVES

For particular recruitment and retention problems, the relevant body may feel that payments or the provision of other benefits are necessary to recruit or retain staff.

Such payments will only be agreed in wholly exceptional circumstances and the Governing Body must seek external independent advice prior to producing a business case on which to base decisions.

It is the Governing Body's view that these incentives will always be temporary and will be reviewed on an annual basis. This reflects the legal obligations in the STPCD.

## 2. LEADING PRACTITIONERS

If the school were to introduce such a post, payment and conditions would be those in the current School Teachers' Pay & Conditions Document. Consultation with staff & unions would take place before such a post was added to the staffing establishment.

The pay range for Leading Practitioners is:

Minimum £39,374

Maximum £59,857

## 3 PAYMENT TO TEACHERS IN THE LEADERSHIP GROUP

The relevant body will establish a leadership group or senior managers which will comprise of the Headteacher and any Deputy and Assistant Headteachers employed in the school.

Changes to the determination of leadership group pay under the STPCD 2014 should only be applied to individuals appointed to a leadership post on or after 1 September 2014, or whose responsibilities have significantly changed on or after that date.

The Governing Body must assign its school to a Headteacher group.

When determining an appropriate pay range the Governing Body must take account all of the permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations.

The Leadership Pay Range (LPR) for the Headteacher should not normally exceed the maximum of the Headteacher group.

The school's ISR 2  
current L11 - 16

Leadership Pay L4 - 8

Ranges are as  
follows: School

Group

Headteacher

Range

Deputy

Headteacher

Range