

PAY POLICY



WATERGATE SCHOOL

'I Can, You Can, Together We Will'

Implemented: July 2020

Reviewed & Amended: September 2024

Date of Next Review: September 2025

This pay policy is adapted from Lewisham's Model Pay Policy and provides and should be read in conjunction with the School Teachers' Pay and Conditions Document (the Document) 2022

1. STATEMENT OF INTENT

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

The governing body of Watergate School will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

2. EQUALITIES LEGISLATION

The governing body will comply with relevant equalities legislation:

- * Employment Relations Act 1999
- * Equality Act 2010
- * Employment Rights Act 1996
- * The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- * The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- * The Agency Workers Regulations 2010

The 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 'governing body obligations' in relation to monitoring the impact of this policy.

3. EQUALITIES AND PERFORMANCE RELATED PAY

The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, e.g. an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances and taking account of the Equality Act 2010 section in the latest DfE advice 'Implementing your school's approach to pay' which can be found online.

4. JOB DESCRIPTIONS

The head teacher will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the governing body. Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the school. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process.

5. ACCESS TO RECORDS

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

6. APPRAISAL

The governing body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the school's teacher appraisal policy). Although the school will establish a firm evidence base in relation to the performance of all teachers, there is a responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (ie application to be paid on Upper Pay Range) so that such evidence can be taken into account at the review.

Support staff appraisal will be carried out in line with the school's policy/procedures.

The headteacher will moderate objectives to ensure consistency and fairness; the headteacher will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness.

7. GOVERNING BODY OBLIGATIONS

The governing body will fulfil its obligations to:

- **Teachers:** as set out in the School Teachers' Pay and Conditions Document (the Document), the Conditions of Service for School Teachers in England and Wales (commonly known as the 'Burgundy Book') and the Harmonisation of Conditions of Service for Lewisham Teachers document.
- **Support staff:** as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book) or any LA pay/grading system that applies e.g. the Single Status Agreement.

The governing body will need to consider any updated pay policy and assure themselves that appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that their pay decisions can be objectively justified.

The governing body will ensure that it makes funds available to support pay decisions, in accordance with this pay policy (see 'Procedures') and the school's spending plan.

The governing body will monitor the outcomes of pay decisions, including the extent to which different groups of teachers may progress at different rates, ensuring the school's continued compliance with equalities legislation.

8. HEAD TEACHER OBLIGATIONS

The head teacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the appraisal and pay policies;
- submit any updated appraisal and pay policies to the governing body for approval;
- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- submit pay recommendations to the governing body and ensure the governing body has sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

9. TEACHERS' OBLIGATIONS

A teacher will:

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

10. DIFFERENTIALS

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

11. DISCRETIONARY PAY AWARDS

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.

12. SAFEGUARDING

Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will comply with the relevant provisions of paragraphs 29 – 37 of the Document and will give the required notification as soon as possible and no later than one month after the determination.

13. PROCEDURES

The governing body will determine the annual pay budget on the recommendation of the pay committee.

The governing body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

No member of the governing body who is employed to work in the school shall be eligible for membership of this committee.

The pay committee will be attended by the head in an advisory capacity. Where the pay committee has invited either a representative of the LA or an external adviser* to attend and offer advice on the determination of the head's pay, that person will withdraw at the same time as the head while the committee reaches its decision. Any member of the committee required to withdraw will do so.

The terms of reference for the pay committee will be determined from time to time by the governing body. The current model terms of reference are:

Membership

The Committee will comprise of 3 governors, one of which will be a finance governor and a governor with responsibility for the Performance Review of the Headteacher.

Quorum

The quorum for meetings of the Committee is 3 governors.

Clerking

The clerk to the committee is Helen Rutherford.

Meetings

The Committee will meet at least once a year during autumn term 1, with additional meetings as necessary.

Minutes from Pay Committee meetings will be restricted to the committee members, Chair of Governors and Headteacher.

Responsibilities:

- to achieve the aims of the whole school pay policy in a fair and equal manner;
- to recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion and pay progression for all eligible teachers;
- to receive reports from the Headteacher relating to the quality of teaching and appraisal

outcomes from the previous academic year;

- to apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;
- to observe all statutory and contractual obligations including hearing representations from teachers regarding pay outcomes in the role of 'Decision Maker' and appearing as a 'witness' at formal pay appeal hearings to clarify earlier decisions made, if necessary;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- to take account of the following documents when reviewing pay recommendations
 - Teachers Standards Guidance
 - School Teachers Pay & Conditions Document
 - School's Pay & Appraisal Policies
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- to work with the Headteacher to ensure that the governing body complies with the Appraisal Regulations 2012 (teachers)
- To ensure confidentiality of all pay matters is maintained.
- To take appropriate action on any other relevant matter referred by the governing body.

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

** Although the external adviser can give a professional judgement that, as a result of the appraisal, it might be appropriate for the governors to award performance points, it is the governing body's responsibility to decide on the pay of the head taking account of paragraphs 4 - 11 of the Document. It is not within the external adviser's remit to advise the governing body on the determination of the head's pay range, nor to advise on the pay of any other leadership group member.*

14. Annual determination of pay

All teaching staff salaries, including those of the head, deputy head(s) and assistant head(s) will be reviewed annually to take effect from 1 September. The governing body will complete teachers' annual pay reviews and notify teachers of the outcome by 31 October and the head teacher's annual pay review by 31 December, save in exceptional circumstances. They will, however, complete the process without undue delay.

15. Notification of pay determination

Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been

taken. Decisions on the pay of the head will be communicated by the pay committee, in writing, in accordance with paragraph 3.4 of the Document. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

16. Appeals procedure

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

17. HEAD TEACHER PAY

The headteacher groups and full list of Leadership Annual Salary for Inner London Area pay ranges (L1-L43) can be found on-line.

Pay on appointment

- The pay committee will review the school's head teacher group and the head's pay range in accordance with paragraphs 4 - 9 of the Document
- If the head teacher takes on permanent accountability for one or more additional schools, the pay committee will set a pay range in accordance with the provisions of paragraphs 6.6 or 7.9 of the Document as the case may be
- The pay committee will determine a pay range, taking account of the full role of the headteacher (part seven of the Document), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2 of the Document), including recruitment issues. The pay committee will take into account the factors set out in Annex A of this policy when determining an appropriate pay range. It will also take into account any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The pay committee will not use at this time its discretion to exceed the 25% limit on discretionary payments.
- The pay committee will use six reference points within the pay range.
- At the appointment stage, candidate specific factors will be taken into account when determining the starting salary whilst also ensuring that appropriate scope is provided within the range to allow for performance related pay progression.
- The pay committee will exercise its discretion under paragraph 27 of the Document where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- The pay committee will have regard to the provisions of paragraph 9.3 of the Document in particular 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 pay committee will consider the use of temporary payments for clearly time-limited responsibilities or duties only, in accordance with paragraph 10 of the Document.
- The total sum of the temporary payments made to a head will not exceed 25% of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25% above the maximum of the headteacher group, except in wholly exceptional circumstances.
- The pay committee may determine that temporary and other payments be made to a head which exceeds the limit above in wholly exceptional circumstances and with the the agreement of the governing body. The governing body will seek external independent advice before providing agreement.

Serving head teachers

- The pay committee will only re-determine the pay range of a serving headteacher, in accordance with paragraph 9 of the Document, if the responsibilities of the post change significantly, or if the pay committee determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team, or with pay arrangements for a member(s) of the leadership group whose responsibilities significantly change (paragraph 4 of the Document).
- It will also re-determine the pay range if the group size of the school increases or decreases (paragraph 8 of the Document), or if the head takes on permanent accountability for an additional schools(s) (paragraph 7.9 of the Document).
- If the pay committee re-determines the head teacher's pay range, it will take account of all indefinite responsibilities of the post, any specific challenges and all other relevant factors, including retention issues. The pay committee will take into account the factors set out in annex A of this policy when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The pay committee will use six reference points within the pay range for performance related pay progression.
- The pay committee will review the head teacher's pay in accordance with paragraph 11 of the Document (and paragraph 27 of the Section 3 guidance) and award up to two reference points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the head teacher's most recent appraisal report.
- If the pay committee decides to re-determine the pay range, it will only determine the head's pay range in accordance with paragraph 9 of the Document and paragraph 9 of the Section 3 guidance.
- The pay committee will consider the use of temporary payments for clearly temporary responsibilities or duties only, in accordance with paragraph 10 of the Document.

- The total sum of temporary payments made to a head must not exceed 25% of the annual salary which is otherwise payable to the head; and the total sum of salary and other payments made to a head must not exceed 25% above the maximum of the head teacher group, except in wholly exceptional circumstances, see below;
- The pay committee will not use at this time its discretion to exceed the 25% limit on discretionary payments.

18. DEPUTY/ASSISTANT HEAD TEACHERS

Pay on appointment

- The pay committee will determine a pay range, taking account of the full role of the deputy/assistant headteacher (Part 7 of the Document), all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9 of the Document), including recruitment issues. The pay committee will take into account the factors set out in Annex A of this policy when determining an appropriate pay range. It will also take into account any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The pay committee will use **four** reference points within the pay range.
- At the appointment stage, candidate specific factors will be taken into account when determining the starting salary whilst ensuring appropriate scope is provided within the range to allow for performance related pay progression.
- The pay committee will exercise its discretion under paragraph 27 of the Document where there are recruitment issues, provided it has not already taken such issues into account when setting the pay range.
- The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 60-69 of the Section 3 guidance.

Serving deputy/assistant head teachers

- The pay committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher (paragraph 10 of the Section 3 guidance), or to maintain consistency with pay arrangements for new appointments to the leadership team, or to maintain pay arrangements for a member (s) of the leadership group whose responsibilities significantly change (paragraph 4 of the Document).
- When determining the pay range of a serving deputy/assistant head, the pay committee will take account of all permanent responsibilities of the role, any challenges that are specific to the role and all other relevant considerations (paragraph 9.2 of the Document and paragraph 10 of the Section 3 guidance) including recruitment issues. The pay committee will take into account the factors set out in annex A when determining an appropriate pay range. It will also take account of any other considerations it feels are relevant and minute carefully its decisions and reasons for those decisions.
- The pay committee will ensure the maintenance of appropriate differentials between different posts in its staffing structure.

- The pay committee will consider whether the award of any additional payments are relevant, as set out in paragraph 26 of the Document and paragraphs 60-69 of the Section 3 guidance.
- The pay committee will use four reference points within the pay range for performance related pay progression.
- The pay committee will review pay in accordance with paragraph 11 of the Document and paragraph 27 of the Section 3 guidance and award up to two reference points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;

19. ACTING ALLOWANCES

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with paragraph 23 of the Document. The pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting postholder 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 head, deputy head, or assistant head, for a period of four weeks or more, will be paid on the head's pay range, deputy head pay range or assistant head pay range, as the case may be and as determined by the pay committee. Payment will be backdated to the commencement of the duties.

20. CLASSROOM TEACHERS

Pay on appointment

The governing body will determine the pay range for a vacancy prior to advertising it and undertakes that it will not restrict the pay range advertised other than the minimum of the Main Pay Range and the maximum of the Upper Pay Range. On appointment, the governing body will determine the starting salary within the advertised range to be offered to the successful candidate. In making such determinations the governing body may take into account a range of factors:

- the requirements of the post;
- any specialist knowledge required for the post;
- the experience required to undertake the specific duties of the post;
- the wider school context.

This school is committed to the principle of pay portability and will apply this principle in practice when making all new appointments. On appointment, classroom teachers moving from one school to another will be placed on the same or higher pay point to ensure their current salary is not reduced.

If the governing body has decided to exercise the discretion to award recruitment and retention incentive benefits in accordance with paragraph 27 of this policy, the governing body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice in accordance with paragraph 27 of the Document and paragraphs 70 – 72 of the section 3 guidance

Pay determinations for existing mainscale teachers

The pay committee will use six advisory reference points. The pay scale for main pay range teachers in this school can be found online

Classroom teachers in their induction year will be awarded pay progression of one point on the successful completion of induction.

To move up the main pay range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in all elements of the Teachers' Standards. Teaching should be over time consistently 'good', as defined by the school.

If the evidence shows that a teacher has exceptional performance, the governing body may consider the use of its flexibilities to award enhanced pay progression, up to a maximum of two reference points. Teaching should be over time consistently 'outstanding', as defined by the school.

Judgments will be properly rooted in evidence. As a teacher moves up the main pay range, this evidence should show:

- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher, e.g. behaviour management or lesson planning
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

Further information, including sources of evidence, is contained in the school's appraisal policy.

Classroom teachers will be awarded pay progression on the Main Pay Range following each successful appraisal review unless significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.

A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.

The pay committee will be advised by the head teacher in making all such decisions. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

21. APPLICATIONS TO BE PAID ON THE UPPER PAY RANGE

Since 1 September 2014, any qualified teacher can apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.

All applications should include the results of the two most recent appraisals, under the Appraisal Regulations 2012, including any recommendation on pay. Where such information is not applicable or available, e.g. those returning from maternity or sickness absence, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application in support of their application.

Process:

One application may be submitted annually. The closing date for applications is normally 30th September each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:

- Complete the school's application form;
- Submit the application form and supporting evidence to the head teacher by the cut-off date of 30th September.
- The assessor (the head or deputy head) will assess the application, which will include a recommendation to the pay committee of the relevant body;
- The application, evidence and recommendation will be passed to the head teacher for moderation purposes, if the head teacher is not the assessor;
- The pay committee will make the final decision, advised by the head teacher;
- Teachers will receive written notification of the outcome of their application by 31st October. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below);
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria;
- Successful applicants will move to the minimum point of the UPR on 1 September in the relevant academic year;
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

Assessment:

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

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

In this school, this means that the teacher's performance is assessed as demonstrating consistently and over time:

“highly competent”: the teacher's performance is assessed as demonstrating excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working;

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

“sustained”: the teacher must have had two consecutive successful appraisal reports and have made good progress towards their objectives during this period (see exceptions, e.g. maternity/sick leave, in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

For new appointees the teacher's performance appraisal reports from previous schools can be considered by the governing body as appropriate.

Further information, including information on sources of evidence is contained within the school's appraisal policy.

22. UPPER PAY RANGE

The pay committee will use three reference points. Therefore the pay scale for upper pay range teachers in this school can be found online.

The pay committee will determine whether there should be any movement on the upper pay range. In making such a determination, it will take into account:

- paragraph 19 of the Document and the criteria set out in paragraph 15.2 of the Document;
- the evidence base, which should show that the teacher has had a successful appraisal during the relevant period and has made good progress towards objectives;
- evidence that the teacher has maintained the criteria set out in paragraph 15.2 of the Document, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher's achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, “Applications to be paid on the Upper Pay Range”.

Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Where it is clear that the evidence shows the teacher has made good progress, i.e. they continue to maintain the criteria set out above (see ‘Applications to be Paid on the Upper Pay Range’), and have made good progress towards their objectives, the teacher will move to the

mid-point on the Upper Pay Range; or if already on the mid-point, will move to the top of the Upper Pay Range.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above (see 'Applications to be Paid on the Upper Pay Range'), and where the teacher has met or exceeded their objectives, the pay committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of the UPR. Teaching should be over time consistently 'outstanding', as defined by the school.

For new appointees the teacher's performance appraisal reports from previous schools can be considered by the governing body as appropriate.

Decisions not to progress up the pay range will only be made in circumstances where significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.

A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.

Further information, including sources of evidence, is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions.

23. LEADING PRACTITIONER ROLES

It is not the intention of the governing body to create a leading practitioner role at this time but the governing body will review its position from time to time.

Pay on appointment

The pay committee will determine a pay range from minimum to maximum for each leading practitioner post in accordance with paragraph 16 of the Document; and paragraphs 33 to 37 of the Section 3 guidance. The pay committee will use **(five)** reference points and will ensure that there is appropriate scope within the pay range to allow for performance related pay progression over time.

Note: In previous years, the minimum of the Leading Practitioners range equated to the minimum of the Leadership range (L1) and the maximum equated to Leadership range point 18. From 2019, Schools wishing to use any points within the Leading Practitioner range may decide to use values equal to Leadership points L2 – L18.

In setting the pay range for each post the pay committee will ensure appropriate differentials (see 'Differentials').

Pay determinations with effect from 1 September 2022

The head teacher will agree appraisal objectives for the leading practitioner.

The pay committee shall have regard to the results of the leading practitioner's appraisal,

including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 19 of the Document.

The pay committee will take account of other evidence. The evidence should show the leading practitioner:

- has made good progress towards their objectives;
- is an exemplar of teaching skills, which should impact significantly on pupil progress, within school and within the wider school community, if relevant;
- has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement;
- is highly competent in all aspects of the Teachers' Standards;
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

"Highly competent" and "substantial" are defined in the section entitled, "Applications to be paid on the Upper Pay Range".

The pay committee will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The pay committee will be able to objectively justify its decision.

Where it is clear from the evidence that the teacher's performance is exceptional, the pay committee may award enhanced progression of two points on the pay range.

Decisions not to progress up the pay range will only be made in circumstances where significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.

A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.

Further information, including sources of evidence is contained within the school's appraisal policy.

The pay committee will be advised by the head teacher in making all such decisions.

24. UNQUALIFIED TEACHERS

Pay on appointment

The pay committee will pay any unqualified teacher in accordance with paragraph 17 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 22 of the Document.

Pay determinations effective from 1 September 2022

The pay committee will use six reference points. The pay scale for unqualified teachers in this school can be found online.

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

If the evidence shows that an unqualified teacher has exceptional performance, the governing body may award enhanced pay progression of two points.

Judgments will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:

- an improvement in teaching skills
- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

Information on sources of evidence is contained within the school's appraisal policy. The pay committee will be advised by the head teacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

Decisions not to progress up the pay range will only be made in circumstances where significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.

A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.

25. TEACHING AND LEARNING RESPONSIBILITY PAYMENTS

The pay committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 47 to 54 of the Section 3 guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out in paragraph 20 of the Document.

The pay committee will ensure that sufficient differential exists between different levels of TLR, taking account of the responsibilities for which the TLR is awarded. All decisions will be objectively justified.

In this school, the Governing Body pays TLR1 and 2 payments to teachers and will consult with staff and trade unions within the school in the event of any change or review of those structures.

The pay committee may award a TLR3 payment for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 20.3 of the Document. The project/responsibility will be focused on teaching and learning; require the exercise of a teacher's professional skills and judgement and have an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils.

TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

The governing body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments.

If a TLR3 is awarded to a part-time teacher, the value should not be amended to reflect the part-time hours of the individual in receipt of the award; the pro rata principle does not apply to TLR3s in accordance with paragraph 54 of the Section 3 guidance.

No safeguarding will apply in relation to an award of a TLR3.

26. SPECIAL NEEDS ALLOWANCE

The pay committee will award an SEN spot value allowance to any classroom teacher who meets the criteria as set out in paragraph 21 of the Document.

When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 21.3 of the Document). The governing body will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The governing body will take account of paragraphs 55 to 59 of the Section 3 guidance.

27. SUPPORT STAFF

The pay committee notes its powers to determine the pay of support staff in accordance with paragraphs 17 and 29 of the School Staffing (England) Regulations 2009 and Chapter 7 of the associated guidance. The pay committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the LA and, *where the school has signed up to this, take account of the LA Single Status Agreement [attach as **appendix**]*. Where posts are created that are covered by separate pay scales e.g. Educational Psychologist posts covered by Soulbury payscales, those payscales will apply.

The appeals process is set out in the Appendix to this policy.

28. PART-TIME EMPLOYEES

Teachers: The governing body will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraphs 40 and 41 of the Document, and paragraphs 39-46 and 79-86 of the Section 3 guidance.

All staff: The head and governing body will use its best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

29. TEACHERS EMPLOYED ON A SHORT NOTICE BASIS

Such teachers will be paid in accordance with paragraph 42 of the Document.

30. ADDITIONAL PAYMENTS

In accordance with paragraph 26 of the Document and paragraphs 60 - 69 of the Section 3 guidance, the relevant body may make payments as they see fit to a teacher, including a head teacher in respect of:

- continuing professional development undertaken outside the school day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- participation in out-of-school hours learning activity agreed between the teacher and the head teacher or, in the case of the head teacher, between the head teacher and the relevant body;
- additional responsibilities and activities due to, or in respect of, the provisions of services by the head teacher relating to the raising of educational standards to one or more additional schools*.

The pay committee will make additional payments to teachers in accordance with the provisions of paragraph 26 of the Document where advised by the head.

Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary.

* Payments to head teachers to reward the provisions of services may only be awarded to a head teacher for temporary or time-limited activities, under paragraph 10 of the Document. [Any indefinite, ie not time-limited responsibilities must be taken into account when determining the head teacher's pay range]

31. RECRUITMENT AND RETENTION INCENTIVE BENEFITS

The pay committee will not use at this time its discretion to award such benefits.

32. SALARY SACRIFICE ARRANGEMENTS

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 28 of the Document and paragraph 73 of the Section 3 guidance

The statutory provisions of the school teachers' pay and conditions document 2014 state that when determining the pay range of a leadership group member, the relevant body must take into account of "all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations". These factors include:-

- Social challenge:
 - number of pupils eligible for the pupil premium/free school meals
 - number and challenge of children with special needs [NB: pupils with statements or education, health and care plans are taken into account when calculating the group size of the school]
 - number of 'looked after' children
 - level of pupil mobility in the area
 - number of pupils with English as a second language
- Complexity of pupil population and school workforce:
 - number of staff
 - variety of school workforce (e.g. teachers, speech therapists)
 - small school
 - rural school
 - specialist units or centres
- Any specific challenges associated with running more than one school, e.g. managing geographically split sites, particular challenges of the additional school(s)
- Contribution to wider educational development:
 - NLE, SLE, LLE responsibilities which are not time-limited
 - teaching school status
 - other relevant issues (e.g. ECT lead, multi-stakeholders)
 -
- Recruitment and retention issues

MODEL PAY APPEALS PROCEDURE

1. [General context](#)

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

These procedures are intended to comply fully with the requirements of:

- the relevant ACAS codes of practice and
- The School Teachers' Pay and Conditions Document 2017.

The procedures also comply with the spirit of the statutory guidance contained within the Document, at Section 3.

2. [General provisions](#)

- The employee is entitled to be accompanied by a workplace colleague or union representative at each formal stage. The person(s) whose decision has given rise to the "grievance" may exercise their discretion and allow the employee to be accompanied at any informal stage.
- The employee must take all reasonable steps to attend meetings.
- Meetings should be arranged without undue delay. A maximum of 10 working days between steps (e.g. between receipt of a request for an appeal hearing and that hearing being convened) is normally seen as reasonable.
- The timings and location of meetings must be reasonable and should be mutually agreed.
- There is no further internal process available to the employee once the appeal stage has been completed, i.e. the matter is closed as far as the school is concerned.
- The governing body will establish an appeal committee, which will consist of three governors, none of whom are employees in the school, nor have previously been involved in the process.
- If an employee has left the employment of the school, there shall be no contractual entitlement to initiate any appeal process in relation to a pay decision – see the modified procedure below.

3. [Appeals against pay determinations](#)

Assumptions

- In practice the governing body will have delegated decisions relating to pay progression to the pay committee ie. the "decision maker".

- The “decision maker” must take account of any pay recommendation from the reviewer(s), i.e. the “recommendation provider”, normally the head teacher, save in the case of the headteacher where this will be the governors appointed to carry out this role.

Procedural stages

1. As part of the overall appraisal process, a performance assessment will be made by the appraiser (normally the line manager) and discussed with the teacher at the review meeting.
2. The performance assessment will be passed to the headteacher to consider an appropriate recommendation in respect of pay. The head teacher will moderate performance assessment and initial pay recommendations across the school to ensure consistency and fairness. The headteacher’s recommendation on pay will be included in the draft statement that is provided to the teacher. At this stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/headteacher, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any such discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.
3. The “recommendation provider” will make recommendations to the “decision maker” with respect to each individual employee. These may include an outline of the evidence that has been used to arrive at the recommendation, how this relates to the guidance in the Document and the school’s pay policy. Copies of the teacher’s review statements including the pay recommendation may be read by the “decision maker”, as part of the deliberations.
4. The “decision maker” will reach a decision and write to the employee, advising him/her of that decision, the reasons for the decision and the employee’s right to make representations to the “decision maker”. If the employee wishes to take advantage of this right, he/she must write to the “decision maker” within 10 school working days. His/her letter must include a statement, in sufficient detail, of the representations that he/she intends to make.
5. The “decision maker” must then arrange to meet with the employee to receive representations about their decision. Any “recommendation provider” should be invited to attend the meeting, to respond to the employee’s representations and to clarify the basis for the original recommendation. If the “recommendation provider” does attend the meeting it will be in the role of a witness, as the representations are against the decision of the “decision maker” not against the recommendation.
6. The “decision maker” will reconsider the decision in private and write to the employee to notify him/her of the outcome of the fresh deliberations and of the employee’s right of appeal to a committee of the governing body. If the employee wishes to take advantage of this right, he/she must write to the Clerk to Governors or the school’s HR Adviser in Lewisham Schools’ HR [**amend as appropriate**] within 10 school working days. He/she must include a statement of the grounds for his/her appeal and sufficient details of the facts on which he/she will rely.

7. The Clerk to Governors or the school's HR Adviser should convene a meeting of the appeal committee within 20 school working days of receiving written notification from the employee. The "decision maker" will also be invited to attend this meeting along with the "recommendation provider". A Schools' HR Adviser may also be present to advise the appeal committee.

8. The chair of the appeal committee will invite the employee to set out his/her case in detail. The employee may also call witnesses in support of his/her case. The employee and his/her witnesses, if any, may be questioned in turn by the other parties, in order to clarify the evidence that has been presented.

9. Both the "recommendation provider" and the "decision maker" will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process and to explain the reasons for the original recommendation/decision. They may also present additional evidence in response to the evidence presented by the employee (this may include calling witnesses as necessary). The "decision maker", "recommendation provider" and other witnesses (if any) may be questioned in turn by the other parties, in order to clarify the evidence that was presented.

10. The appeal committee will then deliberate in private with the Schools' HR Adviser if present and reach a decision.

11. The appeal committee will write to the employee to advise him/her of their decision. If the decision is to reject the appeal, the notification should include a note of the evidence that they considered and the reasons for the decision.

12. The committee will also inform the "recommendation provider" and the "decision maker" of the outcome of the meeting.

The Modified Procedure

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

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

1. The teacher must have set out details of their appeal in writing;
2. The teacher must have sent a copy of their appeal to the Chair of the Governing Body;

The Chair of the Governing Body will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.