

# Model School Pay Policy 2009 - 10

## **Providing a clear framework to assist Governing Bodies in establishing a Pay Policy at their school**

**It is a statutory requirement for schools to have in place both a School Pay Policy, which sets out the basis on which pay decisions are made for teachers, and an Appeals Procedure to deal with pay disputes**

### Key points:

- This draft Model Pay Policy for Schools policy provides updates reflecting the September 2009 changes to teachers' pay and conditions.
- The policy is agreed by ASCL, ATL, DCSF, NASUWT, NEOST and Voice, and has been consulted on at a local level with Trade Union colleagues
- It recommends a structure for schools to follow and covers all key areas of pay discretion that schools need to consider.
- Its purpose is to allow Governing Bodies to understand the statutory and discretionary process for financially rewarding the teachers at their school, and to establish committees to make fair and equitable decisions on pay

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## **RATTON SCHOOL PAY POLICY FOR SCHOOL TEACHERS' PAY 1 SEPTEMBER 2009 TO 31 AUGUST 2010**

Note: 'Recommended Text' in standard type and '*guidance/notes*' in italics

### **1. INTRODUCTION**

The statutory pay arrangements for teachers give significant discretion to "relevant bodies" – normally governing bodies, but Local Authorities (LAs) in some instances – to make pay decisions. The School Teachers' Pay and Conditions Document ("The Document") has since September 2004 placed a statutory duty on schools and LAs to have a pay policy in place which sets out the basis on which they determine teachers pay, and to establish procedures for determining appeals. This should ensure fair and equitable treatment for all teachers and minimise the prospect of disputes and legal challenge of pay decisions.

Decisions on the use of pay discretions are the responsibility of the governing body, advised by the headteacher.

Schools and LAs, when taking pay decisions, must have regard both to their pay policy and to the teacher's particular post within the staffing structure. A copy of the school staffing structure should be attached to the pay policy.

This policy is agreed by ASCL, ATL, DCSF, NASUWT, NEOST and Voice *and has been the subject of consultation with local Trade Unions colleagues and Headteachers*. It recommends a structure for schools to follow and covers all key areas of pay discretion that schools need to consider. Some items – such as the residential allowance – will clearly only apply to some establishments. All procedures for determining pay should be consistent with the principles of public life – objectivity, openness and accountability. The pay and performance management policies should make clear the school's compliance with The Race Relations Act 1976, The Sex Discrimination Act 1975, and 1986 The Equal Pay Act 1970, The Disability Discrimination Act 1995, The Employment Rights Act 1996, The Employment Relations Act 1999, The Employment Act 2002, The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Equality (Age) Regulations 2006, The Employment Equality (Sexual Orientation) Regulations 2003, The Employment Equality (Religion and Belief) Regulations 2003 and The Employment Act 2008.

Heads and governing bodies should consult staff and unions on their pay policy and review it each year, or when other changes occur to the STPCD to ensure that it reflects the latest legal position. The pay policy should comply with the current STPCD and the accompanying statutory guidance. It should be used in conjunction with them but, in the event of any inadvertent contradictions, the Document and guidance take precedence.

This model pay policy only covers school teachers, whose statutory pay and conditions of service fall under the terms of the Document. It does not cover support staff, who have their own pay determination mechanism.

In determining teacher pay levels in accordance with statutory pay and conditions of service under the terms of the Document, governors should also ensure these are set in accordance with the school's staffing structure.

### **Safeguarded payments and allowances**

Safeguarding arrangements will apply according to the provisions of the Document.

## **2. BASIC PRINCIPLES**

All teachers employed at Ratton School are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document (STPCD) as updated from time to time. A copy of the latest version may be found in the school office and is also on-line at <http://www.teachernet.gov.uk/pay/>. All pay-related decisions are made taking full account of the school improvement plan and teachers and unions have been consulted on this policy.

All pay related decisions are taken in compliance with The Equal Pay Act 1970, The Race Relations Act 1976, The Sex Discrimination Act 1975 and 1986, The Disability Discrimination Act 1995, The Employment Rights Act 1996, The Employment Relations Act 1999 and The Employment Act 2002, The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, The Employment Equality (Age) Regulations 2006, The Employment Equality (Sexual Orientation) Regulations 2003, The Employment Equality (Religion and Belief) Regulations 2003 and The Employment Act 2008.

The Staffing (Pay) committee of the governing body will ensure that the policy is implemented to required time-scales and, in order that the appeals procedures may function, that committee has full delegated powers. The membership and terms of reference of the committee are at Appendix 3.

## **3. PAY REVIEWS**

The governing body will ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October (except in the case of the headteacher) each year and give them a written statement setting out their salary and any other financial benefits to which they are entitled. 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.

31 October is the latest date set in the statutory pay guidance, except in the case of headteachers, for whom the deadline is 31 December. The relevant committee must ensure they meet sufficiently early in Term 1 to ensure the 31<sup>st</sup> October teacher pay deadline is met. A copy of the teacher pay statements should be appended to the confidential section of the minutes of the relevant meeting.

A revised pay statement must also be given where there are any other changes in pay arrangements in the year.

The Staffing (Pay) committee is responsible for undertaking an annual pay review for each member of staff.

**OPTION:** the provision of an annual pay statement will be extended to all staff at the school.

#### **4. PAY COMMITTEE**

The terms of reference for the pay/personnel committee are as follows:

- . The committee will have full powers to make recommendations/decisions within the pay policy adopted by the governing body. The terms of reference are as follows:
- . To achieve the aims and objectives of the school pay policy
- . To apply the criteria set by the policy, including linkages with the school performance management policy, in determining the pay of each member of staff
- . To observe all statutory and contractual obligations
- . To ensure that the policy complies with the most recent School Teachers' Pay & Conditions Document
- . To ensure that all pay decisions have regard to the legislation outlined in Basic Principles (section 1) of the School Pay Policy
- . To recommend the annual pay budget, including pay progression at all levels. The governing body recognises that funding cannot be used as a criterion to decide performance pay progression

- . To minute clearly the reasons for all recommendations / decisions and to report these to the full governing body
- . To ensure that each member of staff receives, by 31st October each year, a written statement of the breakdown of pay as at 1 September
- . To ensure that staff know the procedure for making an appeal against pay Decisions
- . To ensure that there are clear job descriptions for each post at the school, so that additional allowances can be awarded in a fair, equitable and consistent manner
- . To keep abreast of developments influencing pay considerations

## 5. APPEALS (Document Section 2, para 3(b))

### **The arrangements for considering appeals are as follows:**

A teacher may seek a review of any determination in relation to his pay or any other decision taken by the governing body (or a committee or individual acting with delegated authority) that affects his pay.

The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination;

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

- a) incorrectly applied any provision of the Document;
- 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.

The order of proceedings is as follows:

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, he/she may follow a formal appeal process.

*This option may be more useful if the decision-maker is a person rather than a committee.*

4. The teacher should set down in writing the grounds for questioning the pay decision 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.

*For any formal hearing or appeal the teacher is entitled to be accompanied by a colleague or union representative (both the hearing and the appeal in paragraphs 5 and 6 would apply). Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable. The formal meeting must allow both parties to explain their cases.*

5. The committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.

6. Any appeal should be heard by a panel of three governors who were not involved in the original 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.

*Appeals against pay decisions must meet the requirements of the dispute resolution provisions of employment law (further information on these can be found at the following link*

[http://www.berr.gov.uk/whatwedo/employment/Resolving\\_disputes/index.html](http://www.berr.gov.uk/whatwedo/employment/Resolving_disputes/index.html)

*The process outlined above is consistent with the dispute resolution provisions of employment law and may be adopted by the school as the means by which appeals against pay decisions are considered.*

***The pay policy procedures are set out in further detail at Appendix 5 (teacher pay appeal) and Appendix 6 (Headteacher pay appeal).***

## **6. INDIVIDUAL SCHOOLS RANGE (ISR) / PAY OF HIGHEST PAID TEACHER**

### ***(a) Schools Group***

**PRIMARY/SECONDARY:** Schools are assigned to one of eight groups, according to the numbers of pupils in the school at various stages, with extra weighting given to pupils with statements.

**SPECIAL SCHOOLS:** Schools are assigned to one of eight groups, according to the number of pupils at each key stage and the ratio of full-time equivalent staff to pupils.

***(b) Individual Schools Range (ISR):*** For each school group there is an allocated pay range, from which governors will select seven consecutive

points as the Individual School Range (ISR) which will form the pay scale for the headteacher.

The bottom point of the ISR should be at least one spine point above the maximum of the pay scale of the next highest paid member of the teaching staff.

The ISR is **not** an incremental scale carrying expectation of automatic pay progression. Governors should review the overall performance of the headteacher every year, taking into account the achievement against previously agreed or set objectives and, taking account of the criteria for leadership group progression, they may award up to two performance points **per academic year**, effective **September**.

*When requesting performance pay for the headteacher, governing bodies must ensure that any proposed increase is contained within the ISR at their school.*

**(c) Establishing the pay of the Highest Paid Teacher:** The formula for establishing the pay of the 'highest paid member of teaching staff' at the school, for ISR purposes is (assuming the teacher is on the Upper Pay Spine):

- to the value of UPS1 salary (even where the teacher is on UPS2 or UPS3) add the value of any permanently awarded allowances such as TLR payments or SEN points (but not recruitment, retention or other payments which are temporary in nature). The total is used as the 'pay of the highest paid teacher'.

## **7. USE OF DISCRETIONS IN BASIC PAY DETERMINATION**

The process for making decisions on the pay of teachers at the school is as follows:

### **(a) Pay Range for Headteachers**

The relevant body should determine the pay range for headteachers when they propose to make a new appointment or at any time if they consider it necessary to retain a head, or if there has been a significant change in the responsibilities of the headteacher.

In **limited** circumstances (school causing concern, and substantial difficulties in recruiting or retaining a headteacher) the relevant body has discretion to move the pay range for a headteacher up by up to two school groups, and the possibility of exceeding the maximum of the spine. Where the ISR exceeds the maximum of the leadership group pay spine, the relevant body must determine the level of any points above the spine maximum.

## **Extended Services**

The relevant body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site **as part of the local authority's local area plan** when determining the head's ISR (see Section 3 paragraphs 42-44 of the 2009 Document). Please note that the Education Act 2002 **does not allow** for head teachers to be remunerated through the Document for running and managing a freestanding Children's Centre.

### **Head of more than one school (permanent arrangement paragraph 12.2.7)**

This could be a permanent arrangement where the schools are part of a hard federation with a single governing body. The remuneration in these cases should be based on the calculation of the total number of pupil units across all schools, which will give a group size for the federation. The relevant body should then determine the head teacher's seven point ISR and appropriate starting point in that range according to paragraphs 7-11 of the Document. Paragraphs 12.2.5 and 12.2.6 can also apply to permanent arrangements.

### **Head of more than one school (temporary arrangement paragraphs 12.2.8 and 12.2.9)**

There is an expectation that temporary arrangements will be time-limited and subject to regular review and the maximum duration should be no longer than two years. The remuneration (where all schools are in groups 1-6) should be based on either the calculation of the total number of pupil units across all schools, to determine the temporary head teacher group, or the head teacher group of any of the constituent schools uplifted by up to two groups, whichever gives the higher group size.

If the school group is 7 or 8 then an uplift of between 5% to 20% is permissible and the maximum of the spine may be exceeded.

Governing bodies need to establish clarity around how the arrangements will work in practice and how they will end.

Please see the Document Section 3 paragraphs 32 to 41 (and particularly paragraph 39 of the 2009 Section 3 statutory guidance and use of the Collaboration Regulations).

See also Provision of Services by the Head Teacher, 2009 Document Section 2 paragraph 49.1(d)

## **New headteacher**

When determining the salary of a new headteacher, relevant bodies should take account of the responsibilities of the post, the background of the pupils at the school and whether the post is difficult to fill.

A new headteacher may be placed at any of the four bottom points of the ISR.

**(b) Pay Range for Deputy Headteachers and Assistant Headteachers**  
(Document Section 2, paras 14 & 16)

The pay range for a deputy or assistant headteacher is five consecutive points on the leadership scale, identified in accordance with the Document. The pay spine will reflect the responsibilities and challenge of the job, the circumstances of the school and any recruitment/retention difficulties. If there is more than one deputy, the pay spines may be different if appropriate. If there is more than one Assistant Head, the pay spines may be different if appropriate.

The pay spine of any deputy will start at a higher point than the lowest point on any assistant headteacher's range in the school, and in the absence of an assistant headteacher, at a point above the salary of the highest paid teacher as defined in paragraph 6(c) above.

The highest point on a deputy headteacher's scale must be at least one point lower than the bottom point of the headteacher's ISR (7-point scale)

**New Deputy or Assistant Headteacher**

A new deputy or assistant headteacher may be paid on any one of the bottom three points of their 5-point pay scale. .

**When the head becomes responsible for more than one school  
(permanent arrangement paragraph 12.2.7 and temporary arrangements  
paragraphs 12.2.8 and 12.2.9.**

In all cases, consideration needs to be given to the remuneration of deputy and assistant heads who as a result of the head's role are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the head teacher's enlarged role, it is not automatic.

**Extended Services**

Where the head takes on responsibility for extended services the relevant body has discretion to take account of the additional responsibility and accountability associated with the provision of extended services on their site when determining the deputy or assistant head's remuneration. An increase in remuneration should only be agreed where the post accrues extra responsibilities as a result of the head teacher's enlarged role, it is not automatic.

**(c) Pay range for ASTs** (Document Section 2, para 27)

ASTs are paid on a 5-point pay spine, selected from a wider 18-point scale which mirrors the lowest 18 points of the Leadership Pay Spine.

When determining an appropriate five point range for an AST, regard must be given to; the nature of the work to be done, including any work with teachers

from other schools; the degree of the challenge; the professional competencies required; and such other criteria as considered appropriate (paragraph **27.3 of the 2009 Document** and paragraphs **89 and 90 of the 2009 statutory guidance**).

Newly appointed ASTs must be placed on the lowest point on their pay range.

AST pay progression is based on sustained high-quality performance against the agreed performance criteria, which are reviewed annually.

**When the head becomes responsible for more than one school (permanent arrangement paragraph 12.2.7 and temporary arrangements paragraphs 12.2.8 and 12.2.9.**

**In all cases, consideration needs to be given to the remuneration of other teachers who as a result of the head teacher's role are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the head teacher's enlarged role, it is not automatic.**

ASTs are not eligible for SEN or TLRs, as the 5 point scale on which they are placed should already reflect the responsibilities and demands of the post, and incorporate any factors which would otherwise give rise to the payment of any additional allowance. An AST may be awarded a recruitment or retention allowance, if appropriate.

**(d) Pay Range for Excellent Teachers** (Document Section 2, para 33)

The governing body has determined that three Excellent Teacher posts are to be included in the school staffing structure (set out in the staffing structure attached)

A teacher may be appointed to an ET post if s/he has previously held such a post, or has been on UPS3 for at least two years and:

(i) in accordance with the 2004 Document or any previous Document has been assessed as meeting the standards for ASTs applicable at the relevant time; or

(ii) has been certified by an assessor as meeting the standards set out in Annex 2 of the 2005 Document or the 2006 Document or Annex 1 of the 2007 document; **or of the 2008 Document; or**

(ii) meets the appropriate standards in Annex 1 of the **2009 Document**

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

**The ET is placed on a spot salary within the ranges specified in paragraph 33.3 of the 2009 Document for the appropriate geographical area.**

When determining the spot salary within the range for an excellent teacher, the relevant body must have regard only to the following:

- a) the nature of the work to be undertaken; and
- b) the degree of challenge of the role.

**(e) Discretionary Experience Points for Classroom Teachers**

(Document Section 2, para 18)

When placing a classroom teacher on 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 an independent school
- One point on the main scale for each year of service as a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned
- One point on the main scale for each year of service teaching in further education, including sixth form colleges
- One point on the main scale for each year of service teaching in higher education

The governing body will consider awarding on a case by case basis:

- 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.

**When the head becomes responsible for more than one school (permanent arrangement paragraph 12.2.7 and temporary arrangements paragraphs 12.2.8 and 12.2.9.**

In all cases, consideration needs to be given to the remuneration of other teachers who as a result of the head teacher's role are taking on additional responsibilities. An increase in remuneration should only be agreed where the post accrues additional extra responsibilities as a result of the head teacher's enlarged role, it is not automatic.

**(f) Part-time teachers** (Document Section 2, para 46)

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 standard mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the

Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary. The same percentage must be applied to any allowances awarded to a part-time teacher.

Any additional hours such a teacher may agree to work from time to time at the request of the head teacher (or in the case where the part-time teacher is a head teacher, the relevant body), should also be paid at the same rate.

A calculator is available on Teachernet to assist with this calculation.

<http://www.teachernet.gov.uk/docbank/index.cfm?id=12828>

The salary of any person employed as a part-time teacher on 31 August 2008 must be re-determined by the relevant body in accordance with sub-paragraph 49.3 of the 2008 STPCD with effect from 1 September 2008. In the event that this re-determination, plus any additional points awarded, results in a lower salary then the difference should have been safeguarded for up to three years from 1 September 2008,

The 2009 Document states at Section 2 paragraph 46.2 that the relevant body should ensure that, with effect from 1 September 2008, all teachers employed on a part-time basis are provided with a written agreed statement which sets out the expectations of the school, and the part-time teacher, regarding the deployment of directed time both within and beyond the school day in accordance with the professional duties as stated in Part 12 of the Document,

The contractual change from September 2005 gives part-time teachers entitlement to PPA time (see 2009 Document Section 2 paragraph 75.2).

Governing bodies are responsible for ensuring that part-time teachers have a clear statement of the sessions and hours they will be required to work.

Schools will plan in advance and discuss with their part time staff the expectations of the school in relation to attendance at staff meetings, parent meetings and any other regular meetings outside their contracted hours. Contact your Personnel Officer within Personnel & Training for further advice on part-time teacher attendance at school meetings and INSET days.

Further information on the working hours of part-time teachers is contained in the policy 'Teachers Working Time / 1265 hours'

#### **(g) Short notice/supply teachers** (Document Section 2, para 47)

Teachers employed on a day-to-day or other short notice basis must be paid in accordance with the provisions of the 2009 Document on a daily basis calculated on the assumption that a full working year consists of 195 days, periods of employment for less than a day being calculated pro rata.

Teachers should be paid for all the hours they are required to be on the school premises. Consideration should be made for non-contact time.

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 5 to arrive at the hourly rate.

**(h) Unqualified teachers** (Document Section 2, para 35 to 37)

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:

**Qualifications:**

One point 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

**Experience:**

One point on the unqualified teachers' scale for each period of one year of service as an overseas-trained teacher

- One point on the unqualified teachers' scale for each period of one year of service teaching in further education, including sixth form colleges.

- One point on the unqualified teachers' scale for each period of one year of service teaching in higher education.

The governing body will consider awarding on a case by case basis:

- One point on the unqualified teachers' scale for each period of one year 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.

**(i) Unqualified teachers' allowance** (Document Section 2, para 36)

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

The governing body will pay an unqualified teacher on one of the employment based routes into teaching on the unqualified teachers' scale

## 8. 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.

### (a) **Headteachers** (Document Section 2, para 7)

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. "Application of Leadership Group Pay Progression Criteria - Clarification" can be found in the box following **paragraph 46** in Section 3 of the Document and this will be taken fully into account when considering progression.

*The Education (School Teacher Performance Management)(England) Regulations 2006 came into force on 1 September 2007 for teachers in England. Any review of performance objectives for head teachers set prior to this date, or any cases where these regulations do not apply, will be carried out as required under paragraph 7.2 of the School Teachers' Pay and Conditions Document 2009.*

Annual pay progression within the range for this post is **not** automatic. The governing body will consider whether to make an award, and if so, whether this will be one or two pay progression points. Note that the maximum award is two points in any academic year, effective **September** only.

When requesting that Personnel & Training increase headteacher pay, governors should confirm that the new pay point being requested is contained within the published ISR at the school.

### (b) **Deputy Headteachers and Assistant Headteachers** (Document Section 2, paras 13 & 15)

Deputy Headteachers 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

"Application of Leadership Group Pay Progression Criteria - Clarification" can be found in the box following paragraph 46 in Section 3 of the Document and this will be taken fully into account when considering progression.

Annual pay progression within the range for these posts is **not** automatic. The governing body will consider whether to make a pay award, and if so whether to award one or two pay progression points.

The Education (school Teacher Performance Management) (England) Regs 2006 came into force on 1 September 2007 for teachers in England. Any review of performance objectives for deputy headteachers or assistant headteachers set prior to this date or any cases where these regulations do not apply, will be carried as required under paragraph 13.3 (deputies) or 15.3 (assistant heads) of the School Teachers' Pay and Conditions Document 2009

The governing body has discretion to move a deputy or assistant head by more than one point (to a maximum of two) in an academic year (from September only).

Any request sent to Personnel for performance pay progression must be contained within the published 5-point scale for the deputy or assistant headteacher concerned.

**(c) Advanced Skills Teachers (ASTs)** (Document Section 2, para 27)

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. Any work undertaken at other schools, in higher education facilities, at facilities of the LA and elsewhere will be taken into account. "Application of Advanced Skills Teacher Pay Progression Criteria - Clarification" can be found at paragraph **89 and 90** in Section 3 of the Document and this will be taken fully into account when considering progression. See Section 3 paragraphs 78 – 80 of the School Teachers' Pay and Conditions Document **2009**.

The Education (School Teacher Performance Management)(England) Regulations 2006 came into force on 1 September 2007 for teachers in England. Any review of performance objectives for ASTs set prior to this date, or any cases where these regulations do not apply, will be carried out as required under **paragraphs 27.5 and 27.6 of the School Teachers' Pay and Conditions Document 2009**.

Annual pay progression within the range for these posts is **not** automatic. The governing body will consider whether to make a pay award and if so, whether to award one or two pay progression points

The governing body has discretion to move an AST by more than one point (to a maximum of two) per academic year.

**(d) Post Threshold (Upper Pay Scale) Teachers** Document Sec.2 para 19

Line Managers of teachers who have been on UPS1 for two years, or UPS2 for two years, must **automatically consider** such a teacher for progression to the next point on the UPS. Note that it is **consideration** that is automatic, not **progression**.

Schools must not require the teacher to (a) apply; (b) provide evidence; (c) otherwise engage in proving that s/he has met the standards.

The school should have sufficiently robust processes (including performance management objectives and outcomes) in place which will inform the decision on whether all the criteria to progress have been met.

**“Application of Upper Pay Scale Progression Criteria - Clarification”** can be found in the box following paragraph 53 in Section 3 of the Document and will be taken fully into account when considering progression ( *also shown below*).

Where a teacher is a post-threshold teacher by virtue of paragraphs (b), (c), and (e) – (i) of the definition of post-threshold teachers in Part I of the School Teachers’ Pay and Conditions Document (pages 29-30), the governing body may determine which point on the upper pay scale to place them, rather than being required to place them on to UPS1. When doing so, the governing body should consider any pay progression which such teachers made in their previous employment which was based on an assessment of standards and contribution comparable to the requirements for progression on the upper pay scale; and should not unreasonably withhold appointment at the equivalent point on the upper pay scale.

Only in **exceptional** circumstances will a further point on the UPS be awarded more frequently than at two yearly intervals.

**Criteria for UPS 1 - 2 progression:**

To achieve pay progression, the achievements of post-threshold teachers and their contribution to the school should have been substantial and sustained. To be fair and transparent, judgments will be properly rooted in evidence and there will have been a successful review of overall performance. Progression on the UPS will be based on two consecutive successful performance management reviews, other than under the exceptional circumstances stipulated in the STPCD. The application of the criteria for UPS progression will be taken fully into account. A successful performance review will involve a performance management process of:

- Performance objectives
- Classroom observation
- Other evidence

To ensure that the achievement and contribution has been substantial and sustained, the performance reviews will need to assess that the teacher has continued to meet threshold standards and grown professionally by continuing to develop their teaching expertise.

**Criteria for UPS2 – UPS3 progression:**

**Teachers will need to continue to achieve the standards for UPS1-2 above AND meet the following criteria:**

UPS3 teachers play a critical role in the life of the school. They provide a role model for teaching and learning, make a distinctive contribution to the raising of pupil standards and contribute effectively to the work of the wider team. They take advantage of opportunities for professional development and use the outcomes effectively to improve pupils' learning.

**(e) Threshold Assessment** (Document Section 2, para 20)

**Eligible teachers who wish to be assessed in Round 10 must submit their request between 1 September 2009 and 31 October 2010.**

**A successful assessment will be implemented and paid with effect from 1 September 2010.**

***Teachers may apply and should be assessed against the post-threshold standards, See paragraphs 19 and 20 of the Document.***

***Schools should, as part of the performance management process, inform teachers of their eligibility to apply for threshold assessment two years ahead of their becoming eligible and of the mandatory deadline for applications.***

***The governing body will rely on the outcomes of the two most recent performance reviews as evidence for threshold assessment.***

***Full guidance for Threshold Assessment in 2009/10 (Round 10) can be found on Teachernet at:***

***<http://www.teachernet.gov.uk/management/payandperformance/threshold/>***

**(f) Classroom Teachers on the Main Scale** (Doc. Section 2 paras 17 & 18)

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

Those subject to formal capability proceedings are usually deemed unsatisfactory performers, but the governing body still has discretion to determine that such a person receive a point.

The Staffing (Pay) committee does not intend to exercise the discretion of awarding additional points for performance.

**9. DISCRETIONARY ALLOWANCES AND PAYMENTS**

(Document Section 2, paras 21 to 24)

**(a) Teaching and Learning Responsibility Payments (TLRs)**

TLRs are awarded to the holders of the posts indicated in the attached staffing structure.

TLRs will be introduced in Ratton School from January 2006 as set out in the attached implementation plan.

The values of the TLRs to be awarded are set out below:

TLR2s will be awarded to the following values:

**£3,854 to the holder of TLR 2.1**

**£5,484 to the holder of TLR 2.2**

TLR1s will be awarded to the following value:

**£7,157 to the holder of TLR 1.1**

**£8,809 to the holder of TLR 1.2**

TLRs may only be awarded in the context of the school's staffing structure and pay policy.

**All safeguarding of management allowances ceased with effect from 31 December 2008**

#### ***Criterion and factors for award of TLRs***

Criterion: A TLR may be awarded to a classroom teacher for undertaking a sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high-quality teaching and learning for which s/he is made accountable. The award may be while the teacher remains in the same post or occupies another post in the temporary absence of the post-holder.

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:

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

Before awarding a TLR 1, governors must be satisfied that the significant responsibility referred to in the previous paragraph includes in addition line management responsibility for a significant number of people.

### Values

The values of TLRs must fall within the following ranges:

- a) the annual value of a TLR1 is **£7,158 - £12,114**
- b) the annual value of a TLR2 is **£2,478 - £6,057**

If the relevant body awards TLRs of different values to two or more teachers, the minimum difference in value between each award of a TLR1 is £1,500; and between each award of a TLR2 is £1,500.

A teacher may not hold more than one TLR of any value, but a TLR could be based on a job description that itemises several different areas of significant responsibility.

A TLR is a payment integral to a post in the school's staffing structure and therefore may only be held by two or more people when job sharing that post.

TLRs awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract.

### **(b) Special educational needs allowances (SEN)** (Document S2, para 25)

SEN allowance 1 will be awarded to all 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.

SEN allowance 1 may also be awarded to classroom teachers who make a particular contribution to the teaching of pupils with special educational needs which is significantly greater than that which would normally be expected of a classroom teacher.

SEN allowance 2 will be awarded to classroom teachers who qualify for SEN allowance 1 and who have recent experience which the relevant body consider relevant to the teacher's work.

When considering the award of SEN2, the relevant body should in particular consider what relevant qualifications or experience holders of SEN1 have, and whether these are being used for the benefit of the school or service. SEN2 should be awarded to all whose qualifications or experience is in line with the relevant body's policy.

## 10. OTHER PAYMENTS

### **(a) Continuing Professional Development** (Document Sec. 2, para 49.1a)

Teachers (including the headteacher) who undertake voluntary continuing professional development (CPD) outside the school day will be entitled to an additional payment of a flat rate payment in line with the teacher's level of responsibility and size of the commitment.

CPD should, wherever possible be undertaken within the 1265 hours of directed time. Schools have a number of options, including releasing the teacher from the classroom by providing cover whilst CPD is undertaken and use of inset/training days. Both of these options can be planned and organised in advance, giving the opportunity for CPD to be maximised for all staff.

Governors must be mindful of the Remodelling Agenda's focus on work/life balance when considering whether it is appropriate for CPD to be undertaken outside the 1265 hours of directed time and whether to provide additional payment for this.

### **(b) Initial teacher training activities** (Document Section 2, para 49.1(b))

Teachers (including the headteacher) who undertake voluntary school-based initial teacher training activities will be entitled to a mentor payment of £250.

Activities that will attract payment include supervising and observing teaching practice; giving feedback to students on their performance and acting as professional mentors; and formally assessing students' competences; planning an initial teacher training course; preparing course materials; and taking responsibility for the well-being and tuition of initial teacher training students.

Teachers who undertake initial teacher training activities which are not seen as part of the ordinary running of the school will be given separate contracts of employment to cover areas of work that are not part of their substantive teaching job or contract of employment.

### **(c) Out-of-school learning activities** (Document Section 2, para 49.1(c))

Teachers (including the headteacher) who agree to provide learning activities outside of the normal school hours and whose salary range does not take account of such activity will be entitled to a flat rate payment in line with the teacher's level of responsibility and size of the commitment.

The basis on which such payments are made should be reviewed regularly. A separate contract will be issued for this work, and salary will be paid via submission of a claim form.

With the advent of remodelling the school workforce and the need to ensure

downward pressure on teachers' working hours many schools are using support staff and other adults to undertake these activities.

**(d) Provision of Services by the Headteacher**

(Document Section 2, para 49.1(d))

The relevant body has discretion to make payments to Heads who provide an external service to one or more additional schools and also to any of the school's teachers whose post acquires additional responsibility as a result of the head's activities. Payments are not automatic.

**Recruitment and Retention Incentives and Benefits** (Doc. Sec 2 para 50)  
(excluding retention payments to Headteachers – see note below)

The governing body will pay retention awards for a maximum of three years. This may be extended in 'exceptional circumstances'.

The committee has discretion as to whether the above allowances will be paid wholly or in part as a lump sum, subject to satisfactory service. The lump sum may be either paid up front or after a stipulated period of time, for example after three years' satisfactory service in the post. The teacher's salary statement will specify how recruitment and retention benefits will be paid and reviewed.

**(e) Residential duties** (Document Section 2, para 48)

**NOT APPLICABLE**

**(f) Honoraria**

The governing body will not pay honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.

There is no provision within the STPCD for the payment of **bonuses or honoraria of any kind**. Any such award to a teacher for their teaching work would be unlawful (**Section 3 paragraph 4**) of the 2009 Document.

**11. FRAMEWORK FOR SUPPORT STAFF PAY POLICY**

**(a) General**

The governing body recognises and values the contribution made to the school by support staff.

Salaries paid to support staff will comply with all local national and local agreements on employees' conditions of service: national pay scales, National Joint Council for Local Government Services and East Sussex CC Job Evaluation Scheme.

**(b) Grading of Support Staff Posts**

Governors will determine the range and grade of each post in accordance with the recognised job evaluation scheme, taking into account the duties and responsibilities of the post. Job descriptions and agreed pay ranges for posts on the Local Pay Spine (teaching assistants, site management staff, science technicians etc.) can be found on czone. JDs for new or unique posts will be sent to Children's Services Personnel for evaluation/moderation with the support staff unions.

While it is a statutory requirement for schools to have an adopted pay policy in place, this statutory requirement does not extend to support staff.

Although the framework outlined below for a support staff pay policy is entirely optional, schools are encouraged to develop a process for rewarding their support staff, ensuring the principles of fairness and equality are observed.

### **(c) Salary on Appointment**

If a new employee was previously employed under the conditions of service of the NJC for Local Government Services immediately prior to appointment at the school, the starting pay should not be less than the previous salary, provided this is within the overall grade for the post. Otherwise, support staff will normally be placed on the first point of the grade for the post.

Previous experience or qualification (including continuous employment within Local Government) can be counted, and may result in the employee being placed on a higher point.

### **(d) Incremental Progression**

Subject to satisfactory performance, a member of support staff will move one point on their scale at 1<sup>st</sup> April each year. Incremental progression will continue until the top of the scale is reached.

### **(e) Withholding Incremental Progression**

An increment for a member of support staff may exceptionally be withheld where the employee is subject to formal competency procedures. The governing body may still opt to award the incremental point once the employee's performance has returned to satisfactory.

### **(f) Pay recognition policies**

Managers can reward staff with additional pay for outstanding performance or contributions over and above their normal duties. To do this you can use one of the schemes below, depending on individual circumstances.

Requests for pay recognition rewards must be authorised by an Assistant Director in accordance with the Scheme of Delegations.

**Temporary additional responsibility - acting up:** Reward for staff who are asked to take on the duties and responsibilities of a higher graded post - in whole or part - temporarily, for a continuous period of at least four weeks.

- . Additional Responsibility (Acting up Allowance) - policy (Word, 125KB)

- . Form PC7 - arrange an acting up payment (Word, 107KB)

**Temporary additional duties - honorarium scheme:** Reward for staff who are asked to take on substantial new duties and responsibilities for a temporary period, exceeding normal expectations of the post, where no other form of payment has been made.

- . Recognition of Additional Responsibility (Honoraria) - policy (Word, 141KB)

- . Form PC9 – arrange an honoraria payment (Word, 115KB)

**Special merit scheme:** Reward for contributions to one-off projects, beyond that normally expected in the course of duties, or for absorbing a substantially increased workload, where other forms of payment have not been made.

- Special merit scheme - policy (Word, 134KB)
- Form PC6 - arrange a special merit payment (Word, 88KB)

**Accelerated increments:** There is also an option to reward staff by granting up to two additional increments within a salary scale. You cannot exceed the maximum of the salary scale and the employee's performance must meet one or more of the following performance criteria:

- Consistent performance for at least six months of high quality work over and above that normally expected of the postholder.
- Consistent performance of work of the same quality over and above that normally expected of the postholder.
- Performance of work to such a high standard that little supervision is required in circumstances where there is usually a strong supervisory element.
- A permanent, measurable increase in responsibility which is insufficient to warrant regrading.

Form PC3 - arrange a performance increment (Word, 100KB)

**Guidance for schools on performance management for support staff can be found on czone within A-Z of Personnel Policies.**

Annual Statement of an Unqualified Teacher's Salary  
(September 2009)

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date 1/9/09 \_\_\_\_\_

\*delete as applicable

Increment(s) awarded from 1 September 2009<sup>1</sup> (number) .....

Point on unqualified teachers' scale from 1 September 2009<sup>2</sup> (1 – 6).....

\*Unqualified teachers' allowance (insert value of allowance) £.....

Where an unqualified teacher is in receipt of an additional allowance awarded prior to 1/8/09, the relevant body must re-determine that allowance in accordance with the criteria specified in section 2, paragraph 36.1 of 2009 STPCD.

Reason for award of allowance.....

.....

\*Recruitment or retention incentives/benefits

Type of award (please tick whichever applies)

Recruitment

Retention

Indicate whether a payment or other benefit and provide details

Payment

Amount of payment.....

Other benefit

Type of benefit.....

Start of award .....

End of award (maximum length: three years) .....

<sup>1</sup> If applicable.

<sup>2</sup> If teacher was not teaching at a maintained school on 1 September 2009, insert start date.

**Safeguarding**

**\*Safeguarded sum(s)** *(include as applicable)*

Unqualified teachers' allowance following re-determination on 1 September 2009

Reason for the determination .....

Date on which the determination is implemented.....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....

*End date = 31 August 2011 (unless ceasing earlier under the safeguarding rules)*

Safeguarding of salary of existing part-time teachers following re-determination on 1 September 2008

Reason for the determination .....

Date on which the determination is implemented.....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....

*End date = 31 August 2011 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

Information on the safeguarding rules may be found at

[www.teachernet.gov.uk/pay](http://www.teachernet.gov.uk/pay).

**Total salary** £ .....

Signed on behalf of the Governing Body .....

Name in capitals .....Date .....

**Annual Statement of a Classroom Teacher's salary: Main Scale Teachers  
(September 2009)**

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date: 1/9/09 \_\_\_\_\_

\*delete as applicable

**Number of points on main scale awarded from 1 September 2009<sup>3 4</sup>**

Experience points: Mandatory..... Discretionary .....

Additional fast track point<sup>5</sup> .....

Additional performance point .....

**Point on main scale from 1 September 2009<sup>6</sup> (M1 – M6).....**

**Value of point** £.....

**\*Allowances**

SEN allowance (insert 1 or 2) .....Value £.....

Reason for award (if discretionary) .....

.....

Teaching and Learning Responsibility payment (insert TLR2 or TLR1).....

Value £.....

Nature of the significant responsibility for which it was awarded (complete, or attach a copy of the job description which includes this information) .....

.....

.....

If TLR is awarded while the teacher occupies a different post in the temporary absence of the post-holder, the date or circumstances in which the TLR will come to an end .....

<sup>3</sup> If teacher was not teaching at a maintained school on 1 September 2009, insert start date.

<sup>4</sup> The pay statement is a snapshot of the teacher's salary position at a specific time. Once the year of award has passed, all experience points both mandatory or discretionary are permanent.

<sup>5</sup> Please refer to paragraph 18.1.5 of the School Teachers' Pay and Conditions Document 2009

<sup>6</sup> See note 2.

.....  
.....

**\*Recruitment or retention incentives/benefits**

Type of award *(please tick whichever applies)*

Recruitment       Retention

Indicate whether a payment or other benefit and provide details

Payment      Amount of payment.....

Other benefit      Type of benefit.....

Start of award .....

End of award *(maximum length: three years)* .....

**\*Safeguarding**

**Safeguarded sum(s)** *(include as applicable)*

Safeguarding of salary of existing part-time teachers following re-determination on 1 September 2008

Reason for the determination .....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....

*End date = 31 August 2011 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

Other safeguarding<sup>7</sup> - type, nature and value of safeguarding.....

.....  
.....

For former leadership group members who are moved to the classroom teachers' scale following internal reorganisation:

Reason for the determination .....

Date on which the determination implemented.....

Date on which the safeguarding period will end .....

Safeguarded sum £.....

Information on the safeguarding rules may be found at [www.teachernet.gov.uk/pay](http://www.teachernet.gov.uk/pay).

The school's staffing structure and pay policy may be inspected at .....

.....

**Total salary** £.....

Signed on behalf of the Governing Body .....

Name in capitals .....

Date .....

(Main Scale page 3 of 3)

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<sup>7</sup> This section should be used to specify the safeguarding of teachers in posts subject to general safeguarding by 31 December 2005, whose management allowances or SEN allowances will be safeguarded, and of former members of the leadership group now on the main pay scale who receive safeguarding following internal school reorganisations from 1 September 2005. (A separate model pay statement covers those who move into posts subject to general safeguarding on or after 1 January 06)

**Annual Statement of a Classroom Teacher's salary: Upper Pay Scale  
Teachers (September 2009)**

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date: 1/9/09 \_\_\_\_\_

\*delete as applicable

**Point on upper pay scale from 1 September 2009<sup>8</sup> (UPS1 – 3) .....**

**Value of point £.....**

**\*Allowances**

SEN allowance (insert 1 or 2) ..... Value £.....

Reason for award (if discretionary) .....

.....

Teaching and Learning Responsibility payment (insert TLR2 or TLR1).....

Value £.....

Nature of the significant responsibility for which it was awarded (complete. or attach a copy of the job description which includes this information) .....

.....

.....

.....

If TLR is awarded while the teacher occupies a different post in the temporary absence of the post-holder, the date or circumstances in which the TLR will come to an end .....

.....

(Upper Pay Scale page 1 of 3)

<sup>8</sup> If teacher was not teaching at a maintained school on 1 September 2009, insert start date.

**\*Recruitment or retention incentives/benefits**

Type of award *(please tick whichever applies)*

Recruitment       Retention

Indicate whether a payment or other benefit and provide details

Payment      Amount of payment.....  
 Other benefit      Type of benefit.....

Start of award .....

End of award *(maximum length: three years)* .....

**\*Safeguarding**

**Safeguarded sum(s)** *(include as applicable)*

Safeguarding of salary of existing part-time teachers

Reason for the determination .....

Date on which the determination implemented.....

Teacher's original salary £..... Safeguarded sum  
£.....

Date safeguarding ends .....

*End date = 31/08/11 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

Other safeguarding<sup>9</sup> - type, nature and value of safeguarding.....

.....  
.....

For former leadership group members or advanced skills teachers who are moved to the classroom teachers' scale following internal reorganisation:

Reason for the determination .....

Date on which the determination implemented.....

Date on which the safeguarding period will end .....

Original salary (value of salary point prior to the determination) £.....

Safeguarded sum £.....

Information on the safeguarding rules may be found at

[www.teachernet.gov.uk/pay](http://www.teachernet.gov.uk/pay).

The school's staffing structure and pay policy may be inspected at .....

.....  
.....

**Total salary** £.....

Signed on behalf of the Governing Body .....

Name in capitals .....

Date .....

(Upper Pay Scale page 3 of 3)

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<sup>9</sup> This section should be used to specify the safeguarding of teachers in posts subject to general safeguarding by 31 December 2005 (whose management allowances and/or SEN allowances will be safeguarded), of teachers formerly on upper pay scale points 4 and 5 (safeguarding of these points will end no later than 31/3/08), and of former members of the leadership group or advanced skills teachers now on the upper pay scale who receive safeguarding following internal school reorganisations from 1 September 2005. (A separate model pay statement covers those who move into posts subject to general safeguarding on or after 1 January 2006.)

**Salary Statement of Advanced Skills Teacher  
(September 2009)**

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date: 1/9/09 \_\_\_\_\_

\*delete as applicable

**Pay range (five points).....**

**Point on AST pay spine from 1 September 2009**

**Value of Point £.....**

**\*Safeguarded point** (where applicable under general safeguarding<sup>10</sup>) .....

**Value of point £.....**

**Basis on which range has been determined.....**

**Basis on which point on range has been determined**

.....  
.....  
.....  
.....  
.....

(AST page 1 of 3)

---

<sup>10</sup> Where AST is subject to general safeguarding and in post before 1 January 2006

**Basis for review of salary**

\*delete as applicable

\*Agreed performance criteria<sup>11</sup>

.....  
.....  
.....  
.....  
.....

\*Salary will be reviewed with regard to the results of the most recent appraisal which will be carried out by (date) .....

**\*Recruitment or retention incentives/benefits**

Type of award (*please tick whichever applies*)

Recruitment       Retention

Indicate whether a payment or other benefit and provide details

Payment      Amount of payment.....  
 Other benefit      Type of benefit.....

Start of award .....

End of award (*maximum length: three years*) .....

---

<sup>11</sup> In 2009, applies to teachers in England and to teachers in Wales not subject to appraisal  
(AST page 2 of 3)

\*Safeguarded sum resulting from internal reorganisation<sup>12</sup>

Reason for the determination .....

Date on which the determination implemented.....

Date on which the safeguarding period will end<sup>13</sup> .....

Original salary (value of salary point immediately prior to the implementation of the determination) £.....

Safeguarded sum £.....

Safeguarding of salary of existing part-time teachers

Reason for the determination .....

Date on which the determination implemented.....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....

*End date = 31/08/11 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

Information on the safeguarding rules may be found at

[www.teachernet.gov.uk/pay](http://www.teachernet.gov.uk/pay).

The school's staffing structure and pay policy may be inspected at .....

.....

.....

**Total salary** £.....

Signed on behalf of the Governing Body .....

Name in capitals .....

Date .....

<sup>12</sup> See paragraph 44 of the School Teachers' Pay and Conditions Document 2009.

<sup>13</sup> For teachers employed for a fixed period or under a fixed-term contract, the date or the circumstance which will bring the fixed period or fixed-term contract and payment of the safeguarded sum to an end.

**Annual Salary Statement of an Excellent Teacher:  
(September 2009)**

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date: 1/9/09 \_\_\_\_\_

\*delete as applicable

**Salary** .....

(Please see paragraph 33 of the School Teachers' Pay and Conditions Document 2009)

\*Safeguarding of salary of existing part-time teachers following re-determination on 1 September 2008

Reason for the determination .....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....

*End date = 31/08/11 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

**\*Recruitment or retention incentives/benefits**

Type of award (*please tick whichever applies*)

Recruitment

Retention

Indicate whether a payment or other benefit and provide details

Payment

Amount of payment.....

Other benefit

Type of benefit.....

Start of award .....

End of award (*maximum length: three years*) .....

(Excellent Teacher page 1 of 2)

The school's staffing structure and pay policy may be inspected at .....

.....

.....

**Total salary** £.....

Signed on behalf of the Governing Body .....

Name in capitals .....

Date .....

**Annual Salary Statement of a Member of the Leadership Group  
(September 2009)**

Name \_\_\_\_\_

School \_\_\_\_\_

Effective Date 1/9/09 \_\_\_\_\_

Post \_\_\_\_\_

\*delete as applicable

**Individual School Range<sup>14</sup>/pay range<sup>15</sup> .....**

**Point on range from 1 September 2009<sup>16</sup> .....**

**Value of point.....**

**\*Safeguarded sum** for heads whose pay range was reduced before 1/9/05 and the value of the point on 31 August 2005<sup>17</sup>

\*Safeguarded sum<sup>18</sup> £ .....

**Basis on which range has been determined.....**

**Basis on which point on range has been determined**  
(e.g. increase based on performance) .....

.....  
.....  
.....  
.....

(Leadership page 1 of 3)

<sup>14</sup> For head teachers: individual school range (ISR) is seven points, for example L15 – L21.

<sup>15</sup> For deputy heads and assistant heads: pay range is five points, for example L9 – L13.

<sup>16</sup> If leadership group member took up post after 1 September 2009, insert date as applicable.

<sup>17</sup> See paragraph 45 of School Teachers' Pay and Conditions Document 2009.

<sup>18</sup> This is the difference between the value as at 1 September 2008 of the safeguarded point and the point on the range on which they are on in the new post.

**Basis for review of salary**

\*delete as applicable

\*Performance objectives agreed or set<sup>19</sup> .....  
.....  
.....  
.....

\*Salary will be reviewed with regard to the results of the most recent appraisal which will be carried out by (date)<sup>20</sup> .....

**\*Recruitment or retention incentives/benefits**

Type of award (*please tick whichever applies*)

Recruitment       Retention

Indicate whether a payment or other benefit and provide details

Payment      Amount of payment.....  
 Other benefit      Type of benefit.....

Start of award .....

End of award (*maximum length: three years*) .....

**Safeguarding**

**\*Safeguarded sum resulting from internal reorganisation<sup>21</sup>**

Reason for the determination .....

Date on which the determination implemented.....

Date on which the safeguarding period will end .....

(Leadership page 2 of 3)

<sup>19</sup> In 2009, applies to teachers in England and to teachers in Wales not subject to appraisal

<sup>20</sup> In 2009, applies to teachers in Wales who are subject to appraisal.

<sup>21</sup> See paragraph 43 of School Teachers' Pay and Conditions Document 2009

Original salary (value of salary point immediately prior to the implementation of the determination) £.....

Safeguarded sum £.....

\*Safeguarding of salary of existing part-time teachers following re-determination on 1 September 2008

Reason for the determination .....

Teacher's original salary £.....

Safeguarded sum £.....

Date safeguarding ends .....  
*End date = 31/08/11 (unless ceasing earlier under the safeguarding rules see paragraph 46.3 of section 2 of the 2009 STPCD)*

Information on the safeguarding rules may be found at [www.teachernet.gov.uk/pay](http://www.teachernet.gov.uk/pay).

The school's staffing structure and pay policy may be inspected at .....

.....  
.....

**Total salary** £.....

Signed on behalf of the Governing Body .....

Name in capitals .....

Date .....

### Guidance Notes – award of Retention Payment to Headteacher

- ESCC's expectation is that governors will pay their Headteacher up to the maximum of their ISR, set within the min/max points available via the Schools Group (SG) range, and not beyond this. The range of pay points within the SG is designed to reflect the number and type of pupils at the school, forms the basis of the 'value of the job', and ensures fair and balanced pay across schools both locally and nationally.
- When a Headteacher has reached the top of their pay scale Governors are not, therefore, expected to pay further monies to that Headteacher to retain their services.
- Headteachers who have reached the top of their scale and who wish to increase their salary will naturally progress to a post in a larger school, where the higher salary will be in line with the increased responsibilities. This ensures the continued development of experienced Headteachers and supports ESCC's succession planning strategy.
- To ensure effective management of the school budget, with a focus on teaching and learning outcomes, Governors will wish to carefully consider whether payment of retention monies is the most appropriate use of school funds.
- For the reasons set out above payment of retention monies to Headteachers is rarely awarded and subject to:
  - Submission of a business case by the Chair of Governors, in line with Attachment A
  - Recommendation by a range of School Improvement officers and Finance officers – see Attachment B
  - endorsement by the Deputy Director of Learning & School Effectiveness and/or Director of Learning & School Effectiveness.
- Where such an arrangement is endorsed by the Deputy Director of Learning & School Effectiveness and/or Director of Learning & School Effectiveness, then the framework for award (Attachment C) would apply

Governors who wish to propose a Retention payment for their Headteacher should **complete Attachment A** and return this to Stephanie Weeden at East Sussex County Council, North F (or via email at [stephanie.weeden@eastsussex.gov.uk](mailto:stephanie.weeden@eastsussex.gov.uk)). Continuation sheets may be used if wished. Please take account of Attachment C to determine the range of values payable.

Once a completed Attachment A is received, the process outlined at Attachment B will be undertaken by the School Improvement Service and Finance, who will make a range of recommendations and submit these to Director(s) for consideration. Governors should allow up to four weeks for this process to take place.

**Business case for governors wishing to consider payment of a Retention Award to the headteacher at their school**

Name of School: \_\_\_\_\_ Name of Headteacher: \_\_\_\_\_

ISR (7-point range for HT): \_\_\_\_\_ Current pay point: \_\_\_\_\_

Value of proposed payment £ \_\_\_\_\_ per academic year – see Appendix C

Proposed start date of Award: \_\_\_\_\_ End date: \_\_\_\_\_

Submitted by: \_\_\_\_\_ (Chair of Governors) \_\_\_\_\_ (date)

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**Educational Imperative**

Please outline here the benefits/plans for pupil outcome improvements (provide links to latest OfSTED outcomes, and School Improvement Plan):

**Headteacher Recruitment/Retention Issues**

Are there known difficulties in recruitment and/or retention of a Headteacher?  
Yes/No If yes, please detail:

**Financial Considerations**

Please state amount of retention award proposed, per annum £ \_\_\_\_\_

Please give details of current budget position, and how award of a retention allowance would be addressed within the budget

**Other Factors**

Please give details of any other factors that governors wish to be taken into consideration

School: \_\_\_\_\_ Date received: \_\_\_\_\_

**Recommendation by Schools Professionals relating to attached business case**

Please make a recommendation on this sheet for each heading, which will then be submitted to Deputy Director and/or Director of Learning & School Effectiveness:

**Educational Imperative**

Comments:

**Headteacher recruitment and/or retention issues**

Comments:

**Budgetary position**

Comments:

**Other factors**

Comments:

**Overall:** Would you recommend that the Deputy Director/Director endorses the governors' proposal to pay retention monies to the Headteacher for up to three years, based on the attached submission?

Yes / No

(provide further details here if you wish)

Signed: \_\_\_\_\_ Position held \_\_\_\_\_

Endorsed Y / N \_\_\_\_\_ Date: \_\_\_\_\_ (Peter Dougill, Nina Siddall or Helen Howard)

### Table of Payments Headteacher Retention Award

Please note that retention monies can be paid for up to a maximum of three years.

Monies can be paid as a lump sum at the end of each year of successful performance, or can be paid in regular installments, i.e. monthly.

Governors may wish to make the continued payment of retention monies subject to agreed performance outcomes.

	Value of Headteacher retention award								
	£500	700	900	1100	1300	1500	1700	1900	
Schools Group									
1, 2 + 3									
4, 5 + 6									
7 + 8									

This means that Governors at a Schools Group 1, 2 or 3 school have a min/ max range of award between £500 – 900

Governors at a Schools Group 4, 5 or 6 school have a min/max range of award of between £900 – 1500

Governors at a Schools Group 7 or 8 school have a min/max range of award between £1500 – 1900

**MODEL FOR SCHOOL PAY COMMITTEE**

The Staffing (Pay) committee of the governing body is authorised to recommend / decide all pay matters, but decisions will not be notified to staff until the full governing body has agreed.

**1. MEMBERSHIP**

4-6 members will be elected by the governing body

Where the headteacher is not a member of the Staffing (Pay) committee, he / she will be entitled to attend all meetings in an advisory capacity. The headteacher will leave the meeting when his/her pay is being discussed.

**2. TERMS OF REFERENCE**

- . The committee will have full powers to make recommendations/decisions within the pay policy adopted by the governing body. The terms of reference are as follows:
- . To achieve the aims and objectives of the school pay policy
- . To apply the criteria set by the policy, including linkages with the school performance management policy, in determining the pay of each member of staff
- . To observe all statutory and contractual obligations
- . To ensure that the policy complies with the most recent School Teachers' Pay & Conditions Document
- . To ensure that all pay decisions have regard to the legislation outlined in Basic Principles (section 1) of the Model School Pay Policy
- . To recommend the annual pay budget, including pay progression at all levels. The governing body recognises that funding cannot be used as a criterion to decide performance pay progression
- . To minute clearly the reasons for all recommendations / decisions and to report these to the full governing body
- . To ensure that each member of staff receives, by 31<sup>st</sup> October each year, a written statement of the breakdown of pay as at 1 September.
- . To ensure that staff know the procedure for making an appeal against pay decisions
- . To ensure that clear job descriptions for each post at the school, so that additional allowances can be awarded in a fair, equitable and consistent manner
- . To keep abreast of developments influencing pay considerations and to advise the governing body when the pay policy needs to be reviewed

### **3. PECUNIARY INTEREST**

No governor may participate in discussions leading to recommendations / decisions in which he / she has a pecuniary interest.

### **4. PROCEDURE**

The full governing body will receive the report of the Staffing (Pay) committee in the confidential section of the agenda. Once decisions have been made/communicated, they will be advised in writing to members of staff. Every teacher's salary must be reviewed annually, with effect from 1<sup>st</sup> September. A written statement of pay must be sent to each teacher by 31<sup>st</sup> October each year.

## **PROCEDURE FOR HEARING GRADING APPEALS**

### **INTRODUCTION**

This procedure applies to all staff employed to work at the school, including the headteacher. Where reference is made in the procedure to the role of the headteacher, the chair of governors, or such other governor(s) authorised by the governing body for the purpose, will fulfill that role where the employee concerned is the headteacher.

It is for the governing body of a school, subject in the case of teachers to the provisions of the Schoolteachers' Pay and Conditions Act 1991, to determine the duties to be carried out by each post-holder, and to choose the appropriate grade to reflect those duties and responsibilities. The Model Pay Policy adopted at the school will outline the discretions adopted by the Governing Body, who must ensure that decisions regarding grading are applied fairly and equally.

An individual employee may consider that his/her post is not graded correctly. In this context, the grading of posts for qualified teachers will represent the number of points awarded, and for staff on the leadership spine, it will represent the pay range and spine point determined for the post. This procedure will enable employees to discuss their grading with the headteacher on an informal and formal basis, and have the right to a personal hearing before a panel of appointed Governors authorised for the purpose of hearing grading appeals.

A grading appeal would be considered under this procedure where:

- There has been a significant increase in responsibilities undertaken by the post holder since the post was graded
- The employee considers that the current grading does not accurately reflect the responsibilities of the post
- The employee considers that the post is not graded appropriately in comparison with other posts at the school

A grading appeal would not normally be considered in the latter two instances where that employee had made an appeal on the same basis within the previous two years.

The time limits referred to in this procedure are working days, and exclude Saturdays, Sundays, bank holidays and school holidays.

### **PROCEDURE**

#### **Stage 1 – The Informal Meeting**

If an employee is not satisfied with grading determination and the basis on which this was made, s/he should first discuss this on an informal basis with the headteacher.

The headteacher should hold this informal meeting within 10 days of the employee making the request.

This informal meeting gives the opportunity for early resolution of an employee appeal against grading, and should always be used in the first instance.

The employee may wish to seek to agree a revised job description with the headteacher or confirm that the existing job description adequately reflects his/her responsibilities.

Where a revised job description cannot be agreed, the following issues should be explored:

- Has the employee assumed duties and responsibilities that the headteacher does not accept as being part of the employee's work?
- If so, for how long have these duties and responsibilities been undertaken and has the headteacher or another senior manager been aware that the employee has undertaken the duties and responsibilities in question?
- Is there a lack of clarity in the duties and responsibilities at the school?
- Has there been a specific short-term need for the person to undertake work at a more senior level which will not continue on a permanent basis? If so, should the additional responsibility be recognised in line with the pay policy?

Where the employee and headteacher agree on a revised job description, the following issues should be explored:

- Are the responsibilities associated with the duties appropriate for the existing grading of the post?
- If not, how significant are any additional responsibilities in terms of the overall requirements of the post?
- Is there a change in the arrangements for the employee to report to senior staff, and/or are there any changes in the number and seniority of staff for whom the post holder has a supervisory responsibility?

Where it is agreed that the existing job description adequately reflects the employee's duties and responsibilities, the employee will need to outline specifically the reasons why s/he feels the post should be upgraded. In considering such a request, the following issues should be considered:

- How long is it since the post was graded?
- What overall changes in responsibility for staff in the school have taken place since then, including additional statutory responsibilities?
- Have any similar posts been upgraded?
- How does the post-holder's grade compare with similar posts in the school's staffing structure plan?

The above listings are not exhaustive, but provide a suggested framework for discussing a grading appeal. When considering the grade of a teacher,

Governing Bodies may be advised by the 'Professional Standards for Teachers' which outline the expectations of a teacher at each of the career stages, as well as criteria for payment of a TLR and progression on the Upper Pay Scale.

(c) Having given consideration to the above, together with any other matters, the headteacher will need to reach a decision. Where circumstances permit, the decision should be given verbally, normally after an adjournment. The decision should be confirmed in writing within five days. Alternatively, the case may require further review and/or enquiries; where this is the case it should be confirmed verbally at the end of the meeting. The subsequent decision given verbally within five days of the meeting, and confirmed in writing within a further five days.

(d) Where the decision is to support the request for re-grading, the headteacher refers the matter to the appropriate Committee. If, subsequently the re-grading is not supported by the governing body, the employee has a right of appeal as set out below in Stage 3. If the employee wishes to exercise this right s/he should do so in writing to the clerk of the governors within ten days of receiving the written decision.

(e) Where the decision is not to support the request for re-grading, the headteacher will:

- (i) in those cases where there was a failure to agree a revised job description, issue to the employee the job description setting out the duties and responsibilities of the post-holder. The job description may be the original description, or an amended version.
- (ii) In cases where a revised job description is issued, the employee should have the opportunity of stating in writing the part(s) of the job description in dispute.

Headteachers should recognise that posts may not be changed significantly without consultation with the employee, although reasonable changes may be made from time to time.

## **STAGE 2 – The Formal meeting**

Where the employee is not satisfied following Stage 1, s/he should send written details of the reasons for dissatisfaction to the headteacher within 10 days of receiving the written decision. The headteacher should arrange to meet with the employee again within 10 days of receipt of the written grievance.

The employee may be accompanied by a trade union representative or work colleague. The headteacher may be accompanied at the meeting by a senior colleague at the school, who may be a school governor or advised by an officer from the Local Authority.

At the meeting, both the headteacher (or colleague/adviser) and employee (or representative) should have the opportunity to make a verbal statement in support of the written submission.

There will be an opportunity for the headteacher/representative to question the employee about the statement, and the employee/representative will have the opportunity to put questions to the headteacher about the decision at Stage 1.

The employee/representative may make a closing statement, as may the headteacher/adviser.

If possible the headteacher should give a verbal decision, normally after an adjournment, and should confirm this decision in writing within three working days. Alternatively, the circumstances may require further review and/or enquiries. This should be confirmed at the end of the meeting, followed by a verbal decision within five working days of the meeting and written confirmation within a further three days.

### **STAGE 3 – The Grading Appeal**

Where the employee is not satisfied following Stage 2, s/he should notify the clerk to the governors within 10 days of receiving the written decision. The clerk will arrange a meeting of a panel of three governors authorised to hear the Appeal. No governor should be a member of the panel where s/he has been involved in discussions about the grading appeal. The meeting will be held within 20 days of receipt of the written appeal by the Clerk.

The statements from both parties will be sent to the members of the panel at least 5 days before the appeal hearing. Neither party is entitled to see a copy of the written statement by the other party before preparation of their own.

The procedure to be followed by the panel is as follows:

- The employee/representative to put their case in the presence of the headteacher and calls witnesses if wished
- The headteacher may ask questions of the employee/representative and any witnesses
- The appeals panel may ask questions of the employee/representative and any witnesses
- The headteacher to present the case in response to the employee's representations, calling witnesses if wished
- The employee/representative may ask questions of the headteacher and his/her witnesses
- The appeals panel may ask questions of the headteacher and his/her witnesses.
- The headteacher to have the opportunity to sum up his/her case
- The employee/representative to have the opportunity of summing up his/her case
- The employee, headteacher and any witnesses to withdraw
- The appeals panel (with any adviser) to deliberate in private, only recalling the parties where there are particular points of uncertainty on the evidence given. If recall is necessary, both parties are to return,

even where only one is concerned with the point that is giving rise to doubt.

The appeals panel is authorised to:

- Reject the appeal and confirm that the grading/salary of the post are correct
- Agree that the overall range of duties and level of responsibility undertaken by the post holder is above that which could reasonably be expected of an employee at his/her level, and
  - upgrade the post to the level that they think appropriate where it is determined that the work undertaken will continue to be expected of the post-holder, or
  - Ask the headteacher in consultation with the employee to make adjustments to the job description ensuring that the overall range of duties and level of responsibility is consistent with the existing grade for the post

The decision of the panel will be notified to the employee and his/her representative at the meeting and confirmed in writing within 5 days.

The decision of the panel is final and there is no further right of appeal within the school or Local Authority.

## **PROCEDURE FOR HEARING TEACHER PAY APPEALS**

When seeking an appeal against a pay determination, including performance management outcome, the reasons for appeal should fall within the following, although the list is not exhaustive:

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

- a) incorrectly applied any provision of the Document;
- 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

The time limits referred to are working days, excluding weekends and school holidays. The times may be modified by mutual agreement.

When considering the pay of a teacher, governing bodies may wish to consult:

- . the 'Professional Standards for Teachers' which outline the expectations of a teacher at each of the career stages
- . criteria for payment of a TLR and progression
- . criteria for progression on the Upper Pay Scale
- . the pay discretions adopted in the school's pay policy
- . pay information contained in the most recent version of the School Teachers' Pay & Conditions Document

### **ESTABLISHING AN APPEALS PANEL**

The governing body will establish an Appeals panel with full delegated powers, to which appeals on pay and grading issues will be directed.

- The panel will comprise a Chair (usually the vice chair of governors) and two other nominated governors, one of whom will be nominated as the vice chair of the panel, and the other of whom will act as reserve
- No member of the panel will work at the school, and no member will have been involved in the original pay decision
- The headteacher will not act as adviser to the panel, but may be called upon to provide information

The panel is authorised to:

- Reject the appeal and uphold the pay decision.
- Allow the appeal and confirm that the increased pay should be backdated to the date applicable before the appeals process started.

## **PROCEDURE**

### **Stage 1 - The Informal Meeting**

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision. The meeting gives the opportunity for early resolution of an employee appeal against pay and should always be held in the first instance. The decision, where circumstances permit, will be given verbally, normally after an adjournment, and will be confirmed in writing within three days.

Alternatively, the case may require further review and/or enquiries before the decision-maker can reach a decision. Where this is the case the subsequent decision should be given verbally to the teacher within five days of the meeting, and confirmed in writing within a further three days.

### **After the Informal Meeting**

Where the decision-maker's decision is to support the pay request, the matter is referred to the appropriate Committee. If, subsequently the pay request is not supported by the governing body, the employee has a right of appeal as set out below in Stage 3. If the employee wishes to exercise this right s/he should do so in writing to the clerk of the governors within ten days of receiving the written decision.

Where the teacher continues to be dissatisfied following the informal meeting, or where an informal meeting is not possible, he/she may appeal if wished.

### **STAGE 2 - The formal meeting/hearing**

An employee who is not satisfied following Stage 1 should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the outcome of the informal meeting.

The person/committee who made the pay determination should arrange to meet with the employee again, normally within 10 days of receipt of the written grievance.

*Each step and action of this process must be taken without unreasonable delay. The timing and location of the formal meeting must be reasonable. The formal meeting must allow both parties to explain their cases.*

For any formal hearing or appeal the employee may be accompanied by a trade union representative or colleague. The person/ committee who made the pay determination may be accompanied by a senior colleague at the school, who may be a Headteacher or school governor, advised by an officer from the Local Authority.

At the meeting, both the person/committee who made the pay determination (or their colleague/adviser) and employee (or representative) should have the opportunity to make a verbal statement in support of the written submission.

There will be an opportunity for the person/committee/representative to question the employee/representative about the written submission, and the employee/representative will have the opportunity to put questions to the person/committee/representative about the decision at Stage 1.

The employee/representative may make a closing statement, as may the person/committee/representative.

If possible the person/committee/representative should give a verbal decision, normally after an adjournment, and should confirm this decision in writing within five working days. Alternatively, the circumstances may require further review and/or enquiries. This should be confirmed at the end of the meeting, followed by a verbal decision within five working days of the meeting and written confirmation within a further three days.

Following the outcome of the hearing the employee should also be informed in writing of the right to appeal.

### **STAGE 3 - The Appeal Hearing**

Where the employee is not satisfied following Stage 2, s/he should notify the committee or person who made the determination within ten days of the written outcome of the formal meeting at stage 2.

The appeal will be heard by three governors who are authorised to do so, normally within twenty working days of receipt of the written appeal notification. No governor should be a member of the panel where s/he has been involved in the original pay determination.

The teacher and the person/committee/representative will exchange statements to be considered at the appeal hearing 5 days before the notified date of the hearing. Neither party is entitled to see a copy of the written statement by the other party before preparation of their own. The statements from both parties will be sent to the members of the panel at least 5 days before the appeal hearing.

The procedure to be followed by the panel is as follows:

- The employee/representative to put their case in the presence of the person/committee/representative and calls witnesses if wished
- The person/committee/representative may ask questions of the employee/representative and any witnesses
- The appeals panel may ask questions of the employee/representative and any witnesses
- The person/committee/representative to present the case in response to the employee's representations, calling witnesses if wished
- The employee/representative may ask questions of the person/committee/representative and his/her witnesses

- The appeals panel may ask questions of the person/committee/representative and his/her witnesses.
- The person/committee/representative to have the opportunity to sum up his/her case
- The employee/representative to have the opportunity of summing up his/her case
- The employee, headteacher and any witnesses to withdraw
- The appeals panel (with any adviser) to deliberate in private, only recalling the parties where there are particular points of uncertainty on the evidence given. If recall is necessary, both parties are to return, even where only one is concerned with the point that is giving rise to doubt.

The appeals panel is authorised to:

- Reject the appeal and confirm that the salary for the post is correct
- Uphold the appeal and arrange for monies to be backdated to the appropriate point

The decision of the panel will be notified to the employee/representative at the meeting and confirmed in writing within 5 days and where the appeal is rejected with include a note of the evidence considered and the reasons for the decision.

The decision of the panel is final and there is no further right of appeal within the school or Local Authority.

## PROCEDURE FOR HEARING HEADTEACHER PAY APPEAL

The headteacher must notify the chair of governors in writing of his/her decision to appeal against a pay decision, within ten days of a pay decision being received by him/her. The reasons should be (although the list is not exhaustive):

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

- a) incorrectly applied any provision of the School Teachers' Pay & Conditions Document;
- 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.

### 1. PROCEDURE:

#### Stage 1 - The Informal Meeting

A headteacher who is not satisfied with the pay determination and the basis on which this was made should first discuss this with the chair of governors on an informal basis.

The chair of governors should hold this informal meeting within 10 days of the headteacher making the request. The meeting gives the opportunity for early resolution of a headteacher appeal against pay and should always be held in the first instance.

At the informal meeting the chair of governors will take account of the the headteacher's comments and will assess the pay of the headteacher against pay criteria etc. The decision, where circumstances permit, will be given verbally, normally after an adjournment, and will be confirmed in writing within three days.

Alternatively, the case may require further review and/or enquiries before the chair of governors can reach a decision. Where this is the case the subsequent decision should be given verbally to the headteacher within five days of the meeting, and confirmed in writing within a further three days.

If the Headteacher is not satisfied following Stage 1 (the informal meeting) s/he should notify the chair of governors within ten days of the informal meeting and request him/her to make arrangements to convene an Appeals Panel, within twenty days of this notification. No member of the appeal panel will work at the school, nor will have been involved in the original decision of the pay committee. The chair of governors will attend the Appeal Hearing to give evidence about decisions regarding the headteacher's pay.

The headteacher will be given at least fifteen days' written notice of the hearing and will be required to submit her/his case in writing at least five days before the scheduled hearing.

The headteacher has the right to be accompanied by a work colleague or Trade Union Representative.

The chair of governors may be accompanied by a representative of the Local Authority

The chair of governors (or committee who made the original decision on pay) will be required to submit their case in writing at least five days before the scheduled Appeal Hearing.

An exchange of written statements will take place at least five days before the appeal hearing.

## **Stage 2 – The Appeal Hearing**

The chair of the appeal panel outlines the procedure, which is as follows:

- The headteacher/representative makes a verbal statement in support of the written reasons for the appeal.
- The appeals panel and chair of governors may question the headteacher about his/her statement.
- The chair of governors makes a verbal statement in support of the written reasons for the decision about the headteacher's pay.
- The headteacher/representative may question the chair of governors about the statement.
- The chair of governors makes a closing statement.
- The headteacher/representative makes a closing statement.

The headteacher and chair of governors withdraw while the panel reaches a decision. The parties can be recalled where there are particular points of uncertainty on the statements made. If recall is necessary both parties are to return, even if only one is concerned with the point giving rise to doubt.

Where possible, the chair of the appeals panel should give his/her decision verbally at the end of the Appeals Hearing. This decision must be confirmed in writing within five days and should include details of the evidence considered and the reason for the decision. Where an appeal is rejected, the Appeal Committee will inform the appellant in writing of the evidence the committee considered and its reasons for the decision.

The person or committee who made the original decision will also be notified of the outcome of the hearing.

The chair of the appeal panel will inform all parties that the decision is final, and there is no further right of appeal.

A copy of the latest version of the STPCD may be found in the school office and is also on-line at <http://www.teachernet.gov.uk/pay/>.

<b>Organisation Chart (February 2009)</b>					
<b>Core Leadership Team</b>					
<b>Headteacher</b>					
Deputy Headteacher Teaching and Learning	Assistant Headteacher Key Stage 3	Assistant Headteacher Key Stage 4	Business Manager	Assistant Headteacher Induction, Intervention & Inclusion	
<b>Learning Directors</b>					
<b>Deputy Headteacher Teaching and Learning</b>					
<b>Numbers</b>	<b>Performing</b>	<b>Human</b>	<b>Physical</b>	<b>Words</b>	
Adelphi Community	Lyric Community	Globe Community	Apollo Community	Lyceum Community	
<b>Learning Leaders</b>					
<b>AHT Key Stage 3/AHT Key Stage 4/AHT Induction, Intervention &amp; Inclusion</b>					
Globe	Apollo	Adelphi	Lyceum	Lyric	
Assessment Recording and Reporting	Continuing Professional Development		Literacy and Numeracy	Covers and Calendar	
<b>Care and Guidance Managers</b>					
<b>AHT Key Stage 3/AHT Key Stage 4/AHT Induction, Intervention &amp; Inclusion</b>					
Globe	Apollo/Lyceum		Adelphi/Lyric		
<b>Curriculum Leaders</b>					
<b>Learning Director Numbers</b>	<b>Learning Director Performing</b>	<b>Learning Director Human</b>	<b>Learning Director Physical</b>	<b>Learning Director Words</b>	<b>AHT III</b>
KS3 Mathematics KS4 Mathematics KS3 ICT KS4 ICT Media Studies	Art Drama Dance Music PE Girls' PE	History Geography RE Opening Minds	KS3 Science KS4 Science Graphics+ Resistant Materials Food/Textiles/HSC	KS3 English KS4 English German French	Induction, Intervention & Inclusion SENCo Key Stage 3 SENCo Connexions PA Turn Around Manager
<b>Advanced Skills Teachers and Excellent Teachers</b>					
<b>Headteacher</b>					
<b>Advanced Skills Teacher Physical</b>					
Advanced Skills Teacher Number		Advanced Skills Teacher Performing		Advanced Skills Teacher Human	