

PAY POLICY FOR TEACHING STAFF

Learning Academies Trust

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Approved by: Finance & Personnel Committee

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LEARNING
ACADEMIES TRUST

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CHANGES

Policy date	Summary of change	Author	Version	Review date
01/09/2021 F&P 12.5.22	Updates on STPCD, LGB and LAT pay Scales	Amy Bosworth HR Business Partner	2021	01/09/2022

1. INTRODUCTION

Statutory pay arrangements for teachers have, for a number of years, allowed governing bodies to exercise significant discretion when making pay decisions. In 2013 the range of discretions made available to governors was significantly increased. At the same time a statutory requirement linking pay progression to performance was introduced. With the introduction of these changes comes a duty to ensure decisions taken on pay are fair and equitable for all teachers so that the prospect of disputes and legal challenge is minimised.

Pay and performance management policies should make clear the school's compliance with the Equality Act 2010, 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, Agency Workers Regulations 2011 and The Employment Act 2008.

The Trust will consult staff and unions on their Pay Policy and review it each year, or when other changes occur to the School Teachers Pay and Conditions Document (STPCD), to ensure it reflects the latest legal position and statutory guidance. In the event of any inadvertent contradictions, the STPCD and statutory guidance will take precedence. This Pay Policy only covers school teachers, whose statutory pay and conditions of service fall under the terms of the STPCD.

This policy aims to:

- Maximise the quality of teaching and learning at the Trust schools
- Support the recruitment and retention of a high quality teacher workforce
- Enable the Trust to recognise and reward teachers appropriately for their contribution
- Help to ensure decision on pay are undertaken in accordance with relevant legal and other statutory requirements

Help to ensure decisions on pay are managed in a fair, just and transparent way and avoid any unnecessary bureaucratic burden on our teachers

2. THE PROCESS

All teachers and headteachers employed at the Trust are paid in accordance with the statutory provisions of the [STPCD 2021](#) and the Local Governing Body or Trust Board will ensure appropriate arrangements for linking appraisal to pay are in place, can be applied consistently and that pay decisions can be objectively justified. The process for performance management/making decisions on pay within the Trust is as follows:

- **Teachers:** Performance management will be done with the appointed line manager/headteacher with pay recommendations being passed through the schools Local Governing Body (LGB). This will be reviewed annually with effect from 1 September (and no later than 31 October).
- **Leadership Scale:** Performance management will be done with the appointed line manager/headteacher with pay decisions being made at school level through the LGB. These decisions are overseen by the Pay Committee, a sub-committee of the Finance and Personnel Committee This will be reviewed annually with effect from 1 September (and no later than 31 October).
- **Headteachers:** Performance management will be done with an agreed member(s) of the schools Local Governing Body (LGB) and the Trust CEO. Pay recommendations will be passed/approved through the Pay Committee, a sub-committee of the Finance and Personnel Committee who have delegated responsibility from the Trust Board for the administration and implementation of the Pay Policy. The Pay Committee will make recommendations on pay through approved minutes to the Trust Board. This will be reviewed annually with effect from 1 September (and no later than 31 December).

A written statement will be provided setting out their salary and any other financial benefits to which they are entitled and the basis on which it was made (see Appendix E). 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.

3. USE OF DISCRETIONS IN BASIC PAY

3.1 Headteachers Pay

Starting pay for new headteachers

New arrangements relating to setting the pay for new appointments to headship or the wider leadership team were introduced in the STPCD and are set out below. These arrangements do not require any re-assessment of pay or allowances of existing headteacher's or wider leadership team members including those appointed prior to 1st September 2014 but those who took up post *after* that date.

Setting pay on appointment

When making new appointments to headship or the wider leadership team the Trust Board will take into consideration the full role of the post before advertising and set pay at an appropriate level considered likely to attract applicants. All pay decisions will be made on objective criteria so that there is no discriminatory effect on any group of teachers with particular protected characteristics under the Equality Act 2010.

- **Stage 1: Defining the role and determining the headteacher group**

The job will be defined and the broad pay range assessed as a provisional guide to determining an appropriate level of pay. The specific role, responsibilities and accountabilities of the post as well as the skills and competences required will be defined. The school will be assigned to a headteacher group by calculating the total unit score in accordance with the STPCD.

- **Stage 2: Setting the indicative pay range**

Consideration will be given as to whether the total unit score for the school and relevant broad pay range attached to the headteacher group fully captures the complexity of the headteacher role. This may require a more detailed assessment of the complexity and challenge of the role. This assessment may capture responsibilities currently recognised through discretionary payments such as allowances for recruitment and retention, the provision of initial teacher training or long term provision to other schools. Consideration will be given to whether the setting of the indicative should start at the minimum of the headteacher group or at a higher level in recognition of the level of challenge of the post.

Where circumstances warrant it the Trust Board will consider setting an indicative pay range with a maximum of up to 25% above the top of the relevant headteacher group range. Consideration of setting a range with a maximum which is higher than 25% will not be given without first obtaining external independent advice and where such a limit is exceeded a business case will be presented to and agreed by the Trust Board. At the end of this stage an indicative range will be set and this information will be included within the advertisement of the post.

- **Stage 3 - Deciding the starting salary and individual pay range**

Once a preferred candidate has been selected consideration will be given to what starting salary will be offered. The starting salary from within the indicative range will be set having regard to the preferred candidate's knowledge, skills and experience and how these attributes will enable them to meet the specific requirements of the post. At this time consideration will also be given to allowing scope for performance related progression over time.

Further considerations;

- The Pay Committee will review the school's Headteacher Group in light of any changes in pupil numbers and the head's Individual Pay Range (IPR) in light of significant changes to the responsibilities of the post in accordance with the STPCD,
- If the headteacher takes on permanent accountability for one or more additional schools, the pay committee will set an IPR in accordance with the provisions set out in the STPCD,

- The Pay Committee may also take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability.

Reviewing pay for existing headteachers

The Trust Board will be responsible for ensuring performance based progression awards reflect individual performance. The Pay Committee will have delegated authority to act on behalf of the Trust Board to undertake an annual review of the headteacher's pay and make decisions regarding progression. All such decisions will be taken in accordance with the STPCD. Specifically the Pay Committee will:

- Review the headteacher's pay and may award progression of up to two range points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012. The Pay Committee will consider any recommendation on progression in the headteacher's most recent appraisal report
- The Pay Committee may review the head's IPR, within the group range for the school, as at 1 September or at any time if they consider changes to relevant factors warrant it
- If the headteacher takes on temporary accountability for one or more additional schools, the Pay Committee will consider awarding a discretionary payment

3.2 Staff on the leadership scale other than the Headteacher

Newly appointed

The same three stage processes described above for headteacher's should also be applied for other newly appointed staff to the Leadership Scale.

Leadership acting allowances

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with STPCD. The Pay Committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher, who carries out the duties under a leadership title, for a period of four weeks or more, will be paid at an appropriate range as determined by the pay committee. Payment will be backdated to the commencement of the duties. In all cases, acting-up arrangements are intended to be temporary, should be regularly reviewed and should cease as soon as it is practicable to make permanent arrangements

3.3 Teachers other than those on the leadership scale

Pay for newly appointed teachers

The Local Governing Body (LGB) will determine the appropriate starting salary to be attached to a vacant teacher post in their school. The salary can be on the main, upper, or leading practitioner pay range as the LGB determines appropriate, and any additional allowance/s that will be payable having regard to:

- The specific nature and requirements of the post,
- Any specialist knowledge and or experience required for the post,
- The experience required to undertake the specific duties of the post,
- The wider school context (excluding extra curricula activities.)

When qualifying circumstances exist, the relevant body **MUST** pay a teacher on the Upper Pay Range (see Section 14.2 of the STPCD for specific details). For other circumstances the relevant body **MAY** pay a teacher on the Upper Pay Range, (see Section 14.3 of the STPCD for specific details).

A starting salary determined by the LGB or subsequent pay increase will be permanent for as long as the teacher remains employed at the school. Should the LGB wanted to offer a recruitment incentive to secure the candidate of choice, this would need to be approved through the Trust Board or delegated committee.

Pay for Main Pay Range teachers

Performance related pay will form the basis for all pay progression decisions. All teachers will be subject to the school's agreed appraisal arrangements and appraisal reports will include a recommendation regarding pay progression where applicable. A decision not to recommend pay progression may take place irrespective of whether capability procedures have been activated.

To move up the Main Pay Range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in all elements of the [Teachers' Standards](#). Teaching should be 'good'. In the case of NQT's whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process.

If the evidence shows that a teacher has exceptional performance, the Trust Board will consider the use of its flexibilities to award enhanced pay progression. In this instance, teaching should be 'outstanding'. Judgments will be properly rooted in evidence. As a teacher moves up the main pay range, evidence could show:

- An increasing positive impact on pupil progress
- An increasing impact on wider outcomes for pupils
- Improvements in specific elements of practice identified to the teacher, e.g. Behaviour management or lesson planning
- Work with external bodies and agencies
- An increasing impact on the effectiveness of staff and colleagues

The headteacher/LGB must be able to justify its decisions. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question.

Movement to Upper Pay Range

Applications from qualified teachers paid on the Main Pay Range for progression to the Upper Pay Range will be assessed in accordance with this policy. It will be the responsibility of the teacher to decide whether or not they wish to apply to be paid on the Upper Pay Range. Applications may be made at least once a year and will be successful where the governing body is satisfied:

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

If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school(s). This school will **not** be bound by any pay decision made by another school. All applications should include the results of appraisals under the Appraisal Regulations 2012, including any recommendation on pay. Where such information is not applicable or available, a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application, from this school and other schools, in support of their application.

Assessment

The teacher will be required to meet the criteria set out in the STPCD, namely that:

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

In this school, this means;

- **Highly competent:** the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.
- **Substantial:** the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own classroom, or with their own groups of children, but also in making a significant wider contribution to school improvement, which impacts on pupil progress and the effectiveness of staff and colleagues.
- **Sustained:** the teacher must have had two consecutive successful appraisal reports in this school and have made good progress towards their objectives during this period (see exceptions in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

Pay for Upper Pay Range

The headteacher/LGB will determine whether there should be any movement on the Upper Pay Range. In making such a determination, it will take into account:

- Evidence which should show that the teacher has had a successful appraisal and has made good progress towards objectives,
- Evidence that the teacher is highly competent in all elements of the relevant standards; and that the teacher's achievements are substantial and sustained. The definition of these criteria is set out above.

Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The Pay Committee will be able to objectively justify its decisions. Where it is clear that the evidence shows the teacher has made good progress towards their objectives, consideration will be given to progressing them to the next point on the Upper Pay Range.

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above, and where the teacher has met or exceeded their objectives, the Pay Committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of UPR. Teaching should be 'outstanding' as defined by Ofsted.

3.4 Leading practitioner posts

When determining the role of leading practitioner in this school, additional duties will be set out in the job description and will include:

- A leadership role in developing, implementing and evaluating policies and practices in the school that contribute to school improvement;
- The improvement of teaching schools within school and within the wider lat community which impact significantly on pupil progress;
- Improving the effectiveness of staff and colleagues

Pay on appointment

The Pay Committee will determine an individual post range from within the overall Leading Practitioner Pay Range for each leading practitioner post in accordance with the STPCD. Decisions relating to where an individual Leading Practitioner Pay range will be taken from will be decided by the Trust Board who will take into account the level, range and complexity of each Leading Practitioner Pay range.

Pay for Leading Practitioners

The headteacher will agree appraisal objectives for each Leading Practitioner. The Pay Committee shall have regard to the results of the Leading Practitioner's appraisal reports, including the pay recommendation, when exercising any discretion in relation to pay progression and have particular regard, as appropriate to whether:

- Good progress towards their appraisal objectives has been made

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

The Pay Committee will determine pay progression such that the amount is clearly attributable to the performance of the Leading Practitioner. The Pay Committee will be able to objectively justify its decision. Where it is clear from the evidence that the Leading Practitioner's performance is exceptional, the Pay Committee may award enhanced pay progression (advised by the headteacher).

3.5 Unqualified Teachers

Pay on appointment

The LGB will pay any unqualified teacher in accordance with the STPCD and will determine the range where a newly appointed unqualified teacher will start, having regard to any qualifications or experience which are considered to be of value.

Pay for Unqualified Teachers

To progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives. If the evidence shows that a teacher has exceptional performance, the LGB may award enhanced pay progression. Judgments will be properly rooted in evidence. As unqualified teachers move up the range, this evidence should show:

- An improvement in teaching skills
- An increasing positive impact on pupil progress
- An increasing impact on wider outcomes for pupils
- Improvements in specific elements of practice identified to the teacher
- Working with external bodies and agencies,
- An increasing impact on the effectiveness of staff and colleagues

The LGB will be advised by the headteacher in making all such decisions. Pay progression on the Unqualified Teacher Range will be clearly attributable to the performance of the individual teacher. The LGB will be able to objectively justify its decisions.

4. ADDITIONAL ALLOWANCES

4.1 Teaching and Learning Responsibility (TLR) payments

The LGB may award a TLR to a classroom teacher for undertaking a sustained additional responsibility for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable. The LGB will determine reference points in respect of TLR 1 and TLR 2 payments, in line with the STPCD. **Please note, a teacher cannot hold a TLR1 and TLR2 concurrently. A teacher in receipt of a TLR 1 or TLR2 may also hold a concurrent TLR 3.**

The LGB may award a fixed term TLR3 to a classroom teacher for a clearly time-limited school improvement projects, or one-off externally driven responsibilities. The duration will be established at the outset.

All decisions regarding TLR payments need to be made in agreement with the CEO to ensure consistency across the Trust.

4.2 Special needs allowance

The LGB will award an SEN allowance to any classroom teacher who meets the criteria. See section 21 (page 26) of the STPCD 2021 for the SEN allowance criteria.

4.3 Recruitment and retention incentive benefits

The Pay Committee can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive. This includes payments to trigger re-valuation within the Teachers' Pension Scheme in instances of a pay freeze. This decision would not be taken at **LGB** level.

The Pay Committee will consider exercising its powers where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn. The Pay Committee conduct an annual formal review of all such awards.

In relation to a headteacher, any 'additional payments' under this section will form part of the 25% limit on the use of all discretions, unless the Pay Committee choose to use the 'wholly exceptional circumstances' discretion. The Pay Committee will not award a recruitment or retention payment if they have already made an award or have taken such reason (recruitment or retention) into account when determining the ISR.

4.4 Residential duties

The LGB would need to seek agreement from the Pay Committee when seeking to approve payments in respect of residential duties in accordance with the Joint National Council for Teachers in Residential Establishment national agreement.

4.5 Other additional payments

The Pay Committee may consider payments as they see fit to a teacher, including a headteacher in respect of:

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

The Pay Committee may consider making additional payments to teachers where advised by the head. Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary. The LGB/ Pay Committee recognises the STPCD makes no provision for bonus or honorarium payments to teachers and specifically excludes such payments from this policy.

4.6 Part-time teachers

The LGB will apply the provisions of the STPCD in relation to part-time teachers' pay and working time.

4.7 Short notice/supply teachers

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

Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by 6.48 to arrive at the hourly rate. A minimum of 2 hours will be payable for an appointment in any one half day session during school time.

5. SALARY SAFEGUARDING

The Pay Committee will operate salary safeguarding arrangements in line with the provisions of the STPCD 2021.

I can confirm that the Pay Committee (Finance & Personnel Committee) of the Learning Academies Trust have adopted this policy as their own.

6. APPENDICES

6.1 Appendix 1: The Learning Academies Trust pay ranges

The current pay ranges can be [accessed here](#).

6.2 Appendix 2: School staff structure [to be inserted by school]

6.3 Appendix 3: Procedure for appeal hearings

The arrangements for considering appeals are as follows:

A teacher may seek a review of any determination in relation to pay or any other decision taken by the headteacher/LGB/Pay Committee (or individual acting with delegated authority) that affects their pay. The following list, which is not exhaustive, includes the usual reasons for seeking a review of a pay determination:

- Incorrectly applied any provision of the STPCD
- Failed to have proper regard for statutory guidance
- Failed to take proper account of relevant evidence
- Took account of irrelevant or inaccurate evidence
- Was biased; or otherwise unlawfully discriminated against the teacher

Step 1: Informal meeting: Where the recommendation is that pay progression should not take place and the teacher is not satisfied with the decision, an opportunity will be provided for the teacher to discuss the matter. An informal meeting will be arranged within 10 working days of the annual appraisal review meeting, at which the teacher and the headteacher will discuss performance issues that have contributed to the proposed recommendation on pay and seek to resolve the matter. This informal meeting will take place prior to any recommendation being made to the pay review panel. The headteacher will then meet with the pay review panel and confirm their recommendation on pay progression.

Step 2: Formal appeal: Where the teacher continues to be dissatisfied, they may follow a formal appeal process.

- Put it in writing:** The teacher should put in writing the grounds for questioning the pay decision and send it to the headteacher or LGB Chair) who made the determination, within ten working days of the decision being appealed against or of the outcome of the discussion referred to above.
- Hearing:** The teacher/LGB 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.
- Appeal:** Any further appeal should be heard by a panel of three LGB members 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 and has the right to be accompanied by as colleague or trade union representative. 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.

6.4 Appendix 4: Application form for the Upper Pay Range progression

(For teachers who wish to be considered for progression to point 1 of the Upper Pay Range)

Name:	TRN:
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I would like to be assessed for progression onto the Upper Pay Range with effect from 1st September [insert year]. I understand that a decision on my progression will be based on an assessment of whether I am highly competent in all elements of the relevant standards, and whether my achievements and contribution to the school are substantial and sustained. I am aware of the school's definition of these criteria having read relevant section of the LAT Pay Policy for Teaching Staff 2021.

I am also aware applications will include the results of appraisals, including any recommendation on pay. In addition, I wish to submit the following summary of evidence designed to demonstrate that I have met the assessment criteria.

I have noted that in order for the assessment to be robust and transparent, it should be evidence-based. As such I have ensured my submissions are mainly paper evidence based.

[If relevant] As I have been absent, through *[sickness, disability or maternity]*, I wish to cite written evidence from a 3 year period before the date of my application, from this school and other schools, in support of my application.

I have provided a summary of the evidence from my teaching practice below that I believe demonstrates that I am highly competent in all elements of the relevant standards and that my contributions to the school are substantial and sustained.

Signature:	Date:
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To be returned to the headteacher no later than 10th July.

Applications after this date will not be considered.

6.5 Appendix 5: Upper Pay Range progression – review form

Name: School: Date:	
COMPENTENCIES	AGREE
1. Meets all Teacher Standards	
2. Impacts on pupil progress	
3. Impacts on wider outcomes for pupils	
4. 4.Improvements in specific elements of practice, such as behaviour management or lesson planning	
5. Impact on effectiveness of teachers and other staff	
6. Wider contribution to the school	
Signed: Position: Date:	

6.6 Appendix 6: Example Salary Statement



TEACHER SALARY STATEMENT
2021 / 2022

Name: Teacher Number:

Job Title:

FTE:

Payroll Number:

is from 01/09/2021 entitled to a substantive salary of which is composed as follows:

Description <i>(please choose from drop down)</i>	Pay point/type <i>(please choose from drop down)</i>	Amount	
		Pre 31/08/2021	Post 01/09/2021
Main Pay Range	MPS6		
Upper Pay Range	UPS1		
TLR			
SEN			
First Aid			
Total Salary from 1st September 2021			£0

Signed:

Date:



6.7 Appendix 7: Useful website

[Teachers Standards](#)

[STPCD 2021](#)