



## Pay Policy

APPROVED BY GOVERNORS

RESPONSIBLE PERSON – HEADTEACHER

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## **1. OPENING STATEMENT**

This policy will be applied to the pay of all staff employed by Riverside School (henceforth referred to as 'the School'). The prime statutory duty of Governing Boards, as set out in the Education Act 2000, is to "conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty.

The Governing Board seeks to ensure that all staff are recognised and rewarded for the level of responsibility that they carry, and for the individual contribution that they make to the work of the school.

Within the budget available to it, the Governing Board will endeavour to maintain a local pay policy, which will enable it to recruit, retain and motivate sufficient staff of suitable quality to achieve the aims and objectives of the School's Development Plan.

The Governing Board will act with integrity, objectivity and honesty, will be open about decisions made and actions taken, and will be prepared to explain its decisions and actions.

## **2. AIMS OF THE SCHOOL**

Our core purpose, our mission, is to transform our children's lives and the lives of their families and our vision is to inspire breakthroughs in the way society enables children with complex needs to find true fulfilment. Our mission and vision are underpinned by four pledges:

- We will equip our pupils with a bespoke package of profoundly personalised support so that when they leave school, they succeed, flourish and leave their mark on society.
- We will inspire our pupils, families and the wider community to make the seemingly unachievable achievable through the Performing Arts.
- We will ensure current and future pupils make remarkable progress by attracting and training the highest calibre special educators at Riverside School and beyond.
- We will influence the world of specialist education by creating an innovative curriculum framework based around The Pursuit of Happiness.

## **3. AIMS OF THE PAY POLICY**

The pay policy set out below is intended to:

- support and promote the school's ethos, purpose, and development as set out in the School Development Plan;
- promote the principle of best value in terms of the school's management of its resources;
- complement and support the school's current personnel procedures and frameworks;
- promote the aim of making the school a self-evaluating, self-managing institution;

- support the aim of ensuring that all school policies and procedures make a meaningful and sustained contribution to raising levels of achievement at the school;
- demonstrate the Governing Board's commitment to good employment practice by ensuring that all pay-related decisions are made taking full account of the current version of the School Teachers' Pay and Conditions Document, the School Development Plan and all pay related decisions are taken in compliance with the Equality Act 2010, 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 and the Agency Workers Regulations 2010.
- demonstrate that the Governing Board intends to treat all school staff fairly and responsibly.

#### **4. CONSULTATION**

This policy will be reviewed annually or whenever significant changes in the School Teachers' Pay and Conditions Document (STP&CD) or the Bromley Localised Pay Arrangements for support staff necessitate review. Consultation with staff and representatives from recognised trade unions will be planned accordingly. Full information relating to vacant posts and responsibilities will be made available to staff.

#### **5. EQUALITIES**

The School seeks to use this pay policy to promote equal opportunities within the School, both in terms of applying to staff and providing an equal and wide curriculum with enriched learning opportunities. The School will ensure that staff will not be discriminated against in matters related to gender, sexual orientation, age, race, disability, or religion.

The School intends to make fair and consistent pay decisions having due regard to LA advice and good practice. The School will provide appropriate support for all staff, for example good working facilities and sufficient non-contact time for teachers. All members of staff will have the opportunity to have their professional learning needs reviewed regularly under the School's Appraisal process.

The Governing Board will observe the relevant employment law provisions, notably the Equality Act 2010, EU Working Time Provisions, and health and safety requirements.

#### **EQUALITIES AND PERFORMANCE RELATED PAY**

The Governing Board will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, eg an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.

## 6. OTHER SCHOOL PROCEDURES

The School's Pay Policy will be considered alongside other school personnel procedures/policies where there is a direct link between them. Procedures/Policies in this category are set out below.

### APPRAISAL

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

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

### GRIEVANCE

If a member of staff:

- has a grievance or complaint about their salary; or
- asks for a review of any decision regarding their pay;
- s/he must follow the school's pay appeals procedure (see Appendix 2).

**STAFF CAPABILITY:** Pay Progression may be withheld if the employee concerned has been subject to formal capability action during the academic year preceding the award or if concerns have been raised with the employee during the academic year which have not been addressed at the expected date of award; or outcomes for pupils require improvement, according to the Riverside Teaching and Learning Framework.

However, Pay Progression may be reinstated retrospectively if the formal capability process is discontinued or if the employee makes sufficient progress to reach a satisfactory level of performance.

The employee concerned should be formally notified as soon as possible of the possibility of pay progression being withheld. The employee should be offered appropriate support and/or training to help her/him to improve her/his performance within the context of the capability procedure.

**RECRUITMENT AND SELECTION:** when advertising permanent posts, the school will provide job applicants with appropriate salary and remuneration details as set out in this policy and will seek to reflect the school's attributes and ethos in all advertising and recruitment material.

## 7. JOB DESCRIPTIONS (TEACHING AND SUPPORT STAFF)

The school's policy on job descriptions is as follows:

- (a) all staff should receive a job description (JD) in accordance with the staffing structure agreed by the Governing Board, which should be subject to annual review. Staff will be consulted over the drawing up of the contents. The task of drafting and finalising job descriptions is delegated to the Headteacher who will have regard to advice and guidance issued by DfE and to any advice offered by the LA.
- (b) job descriptions will identify key areas of responsibility and will, where appropriate, contain tasks consistent with the School Development Plan. Staff job descriptions will clearly state management responsibilities attached to the post and any associated allowances.
- (c) appropriate differentials will be created and maintained between posts recognising accountability, job weight, and the need to recruit, retain, and motivate sufficient employees of the required quality at all levels.
- (d) where there is a clear and substantial change in duties, a member of staff may request a review of her/his existing job description. Any such request will be considered first by the Headteacher and then by the Resources Committee should the member of staff request it.
- (e) all teacher job descriptions will make reference to teachers' statutory conditions of service as set out in the STP&CD.

## 8. PERSONNEL RECORDS

The school holds personnel files for all staff except the Headteacher. Staff may have access to their salary records as long as the Headteacher is present. Every member of staff is entitled to have access to the pay policy. Should the Resources Committee make a reasonable request for salary information for a particular member of staff this should be extracted from her/his personnel file and supplied.

## 9. GOVERNING BOARD OBLIGATIONS

The Governing Board will fulfil its obligations to:

- **Teachers:** as set out in the School Teachers' Pay and Conditions Document (the Document) and the Conditions of Service for School Teachers in England and Wales (commonly known as the 'Burgundy Book').
- **Support staff:** in accordance with **Bromley** Council Localised Pay and Conditions of Employment.

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

The Governing Board will ensure that it makes funds available to support pay decisions, in accordance with this pay policy and the school's spending plan.

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

The Governing Board will determine the annual pay budget on the recommendation of the Resources Committee, taking into account paragraph 21.2(e) of the Document. The Resources Committee shall consider individual cases for accelerated progression on the recommendation of the Headteacher for exceptional performance.

#### **10. HEAD TEACHER OBLIGATIONS**

The Headteacher will:

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

#### **11. TEACHERS' OBLIGATIONS**

A teacher will:

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

#### **12. DIFFERENTIALS**

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

#### **13. DISCRETIONARY PAY AWARDS**

Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

#### **14. PAY REVIEWS**

The Governing Board will ensure that every teacher's salary is reviewed following a review of their performance against their appraisal objectives in line with the school's appraisal policy with effect from 1 September and no later than 31 October (except in the case of the Head teacher where the deadline is 31

December) 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 will give information about the basis on which it was made. Decisions on the pay of the Headteacher will be communicated by the Resources Committee, in writing together with the reasons why decisions have been taken.

## **15. SAFEGUARDING**

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

Pay reviews for support staff will take place at any significant change of job description, which may increase (or decrease) the employee's responsibilities and as a consequence his/her grade. In this event, a re-evaluation of the post will be carried out, using Bromley Council's agreed Job Evaluation Scheme.

## **16. RESOURCES COMMITTEE**

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

Where the Resources Committee has invited either a representative of the LA or the external adviser to attend and offer advice on the determination of the Headteacher's pay, that person will withdraw at the same time as the Headteacher while the committee reaches its decision. Any member of the committee required to withdraw will do so.

The Resources Committee will be responsible for the day-to-day application of the pay policy and subsequent policy reviews.

The Governing Board only has the power to agree the pay policy. The Governing Board should also approve the membership and the terms of reference for the Resources Committee.

The membership of the Resources Committee above may change from time to time subject to full Governing Board approval.

## **17. TERMS OF REFERENCE**

The Governing Board will delegate its powers to determine staff pay to a formal committee (the 'Resources Committee') in accordance with the School Governance (Roles, Procedures and Allowances)(England) Regulations 2013. The terms of reference of the Resources Committee will include.



## Terms of Reference

- To draft and recommend a pay policy to the full Governing Board for its agreement.
- To oversee the pay policy review process, including consultation with staff and Governors.
- To apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review.
- To set an individual school range (ISR) for the Headteacher and an individual pay range for the Deputy Head and/or Assistant Head and decide where new leadership group members are placed on their respective pay ranges.
- To consider difficult pay issues, particularly where pay discretion has to be applied (eg the award of recruitment and retention incentives or benefits).
- To keep abreast of relevant personnel and pay developments and advise the Governing Board when the School's pay policy might need to be reviewed.
- To record the reasons for all salary decisions clearly and report the fact of these decisions back to the next full governing body meeting.
- To observe all statutory and contractual conditions in respect of pay matters.
- To monitor and review the School's performance appraisal framework for all staff.
- To recommend to the full Governing Board the annual budget required for pay purposes, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretions.
- To work with the Headteacher in ensuring that the Governing Board complies with the Appraisal Regulations 2012 (teachers).

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

## 18. PAY APPEALS PROCEDURE

A member of staff may seek a review of any determination in relation to his/her pay or any other decision taken by the Governing Board (or a committee or individual acting with delegated authority) that affects his/her 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 member of staff.

The arrangements for considering appeals is attached at Appendix 2

The following sections detail the arrangements for pay determinations for all staff employed at the school. In the case of Teaching staff, where appropriate, specific reference is made to the relevant paragraph's of the School Teachers' Pay and Conditions Document (STP&CD).

## **19. LEADERSHIP GROUP SALARIES**

### **Headteacher Pay**

#### **Pay on appointment**

For appointments on or after 1 September 2015, the Governing Board will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the Headteacher (Part 9) and in accordance with paragraphs 11 and 6.2(e) and paragraphs 11 to 26 of the section 3 guidance:

- the Resources Committee will review the school's Headteacher group and the Head's Individual School Range (ISR comprising 7 points) in accordance with paragraphs 7, 8 and 10 (ordinary school), or paragraphs 7, 9 and 10 (special school);
- if the Headteacher takes on permanent accountability for one or more additional schools, the pay committee will set an ISR in accordance with the provisions of paragraphs 11.2.4 and 6.2(e).
- the Resources Committee will have regard to the provisions of paragraph 11.2.2 and will also take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the Resources Committee will exercise its discretion under paragraph 6.2(e) and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- The Resources Committee will consider exercising its discretion to award a discretionary payment under 11.5(b) where the Governing Board consider the school would have difficulty recruiting to the vacant Headteacher post;
- the Resources Committee will consider the need to award any further discretionary payments to a Headteacher in line with paragraph 11.4.1 to 11.6.2;
- The Resources Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 11.6.2. However, before agreeing to

do so, it will seek the agreement of the Governing Board which in turn will seek external independent advice before providing such agreement.

### **Serving Headteachers**

The Governing Board will determine the salary of a serving Headteacher in accordance with paragraph 6 of the Document.

- the Resources Committee will review the Headteacher's pay in accordance with paragraph 7 of the Document and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the head teacher's most recent appraisal report.
- the Resources Committee may determine the Head's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary (paragraph 9 of section 3 guidance);
- if the Resources Committee makes a determination to change the ISR, it will determine the Head's ISR within the group range for the school, in accordance with paragraph 7; and paragraph 9 of the section 3 guidance;
- if the Headteacher takes on temporary accountability for one or more additional schools, the pay committee will consider awarding a discretionary payment under paragraphs 11.4.2 and 11.5(d).
- the Resources Committee will consider the use of discretionary payments, as per the provisions of paragraphs 16 – 22 of the section 3 guidance.
- The Resources Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 11. However, before agreeing to do so, it will seek the agreement of the Governing Board which in turn will seek external independent advice before providing such agreement.

### **Deputy/Assistant Headteachers**

#### **Pay on appointment**

The Governing Board will, when a new appointment needs to be made, determine the pay range to be advertised and agree pay on appointment as follows:

- the Resources Committee will determine a pay range comprising 5 points in accordance with paragraph 12 of the Document, taking account of the role of the deputy/assistant head teacher set out at paragraph 55 of the Document;
- the Resources Committee will record its reasons for the determination of the Deputy/Assistant Head pay range, in accordance with paragraph 29 of the section 3 guidance;
- the Resources Committee will exercise its discretion under paragraph 12.3 of the Document, and pay any of the bottom three points on Deputy Head pay range, in order to secure the appointment of its preferred candidate.

- the Resources Committee will exercise its discretion under paragraph 47 of Document where there are recruitment issues.

### **Serving Deputy/Assistant Headteachers**

- the Resources Committee will review pay in accordance with paragraphs 12.1 or 12.2 and award up to two points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the Deputy/Assistant Head's most recent appraisal report;
- the Resources Committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving Deputy/Assistant Headteacher (paragraph 29 of section 3 guidance);
- the Resources Committee may determine the deputy head pay range at any time in accordance with paragraph 29 of the section 3 guidance pursuant with the discretionary provisions of that paragraph and to maintain differentials;

## **20. ACTING ALLOWANCES**

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with paragraph 30 of the Document. The Resources Committee will, within a four week period of the commencement of acting duties, determine whether or not the acting postholder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher who carries out the duties of Head, Deputy Head, or Assistant Head, for a period of four weeks or more, will be paid at an appropriate point of the Head's ISR, Deputy Head range or Assistant Head range, as determined by the Pay Committee. Payment will be backdated to the commencement of the duties.

## **21. CLASSROOM TEACHERS**

### **Pay on appointment**

The Governing Board will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range, such as the Governing Body determines, having regard to:

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

The Governing Board will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice.

## Pay determinations for existing main pay range teachers, effective from 1 September 2016

The Pay Committee will use reference points. Therefore the pay scale for main pay range teachers in this school is:

MPS1 -	Minimum	£26139
MPS2 -	Reference point 1	£27759
MPS3 -	Reference point 2	£29477
MPS4 -	Reference point 3	£31302
MPS5 -	Reference point 4	£33,957
MPS6a-	Reference point 5	£36,544
MPS6b -	Maximum	£36,906

*Appraisal objectives will become more challenging as the teacher progresses up the main pay range.*

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. Outcomes should be 'good', as defined by the Riverside School Teaching and Learning Framework, adapted from Ofsted guidance.

The Governing Board will consider individual cases for enhanced pay progression up to the maximum of 2 reference points based on exceptional performance.

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

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

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

The Resources Committee will be advised by the Headteacher in making all such decisions. Any increase (ie no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The Pay Committee will be able to justify its decisions.

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

Any qualified teacher can apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at another school(s), they may submit separate

applications if they wish to apply to be paid on the UPR in that school(s). This school will not be bound by any pay decision made by another school.

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

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who 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 in support of their application.

### **Process:**

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

- Submit written evidence of whole school impact with particular reference to the Riverside Framework for Teaching and Learning and relevant teacher standards
- Submit the application with supporting evidence to the Headteacher by the cut-off date of 30<sup>th</sup> June.
- The employee will receive notification of the name of the assessor of the application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the Resources Committee of the relevant body;
- The application, evidence and recommendation will be passed to the Head teacher for moderation purposes, if the Headteacher is not the assessor;
- The Resources Committee will make the final decision, advised by the Headteacher;
- Teachers will receive written notification of the outcome of their application by 31<sup>st</sup> July. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).
- If requested, oral feedback which will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.

- Successful applicants will move to the minimum of the UPR on 1 September of the following year.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

**Assessment:**

The teacher will be required to satisfy the Governing Board that he/she ::

- is highly competent in all elements of the relevant standards; and
- that 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, eg maternity/sick leave, in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

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

**23. UPPER PAY RANGE**

Pay determination from September 2016

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

The criteria set out in the Teachers Pays and Conditions Document 2015

The evidence base, which should show that the teacher has had a successful appraisal and has made good progress towards objectives

Evidence that the teacher has maintained the criteria set out in the para. 15, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to the school are substantial and sustained as outlined in para. 22 above.

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

Where it is clear that the evidence shows the teacher has made good progress, ie they continue to maintain the criteria set out above (see 'Applications to be Paid on the Upper Pay Range'), and have made good progress towards their objectives, the teacher will move to U2 on the Upper Pay Range; or if already on the mid-point, will move to the top of the Upper Pay Range.

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

The Pay Committee will be advised by the Headteacher in making all such decisions.

## **24. LEADING PRACTITIONER ROLES**

It is not the intention of the Governing Board to create a leading practitioner role at this time but the Governing Board will review its position on an annual basis.

## **25. UNQUALIFIED TEACHERS**

### **Pay on appointment**

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

### **Pay determinations effective from 1 September 2016**

In order 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 governing body may award enhanced pay progression of 2 reference points.

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

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

Information on sources of evidence is contained within the school's appraisal policy.



The Resources Committee 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 Resources Committee will be able to objectively justify its decisions.

## 26. TEACHING AND LEARNING RESPONSIBILITY PAYMENTS

The Resources Committee may award a TLR to a classroom teacher in accordance with paragraph 20 of the Document and paragraphs 46 to 53 of the section 3 guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out below and at paragraph 20 the document.

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 Governing Board 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 judgement;
- (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 TLR1, the Governing Board 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.

The values of TLRs must fall within the ranges set out in the STP&CD. If the Governing Board 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.

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

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

TLR2s will be awarded to the following values:

**£4,545 to the holder of Phase Leader roles**

**No TLR1s will be awarded within the current structure.**

The Resources Committee may award a TLR3 of between £500 to £2500 for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 25.1. The Governing Board will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

## **27. SPECIAL EDUCATIONAL NEEDS ALLOWANCE**

The Resources Committee will award an SEN spot value allowance on a range of between £2085 and £4116 to any class teacher who meets the criteria as set out in paragraph 27 of the Document.

When deciding on the amount of the allowance to be paid, the Governing Board will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 27.3 of the Document). The Governing Board will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The Governing Board will take account of paragraphs 38 to 43 of the section 3 guidance.

The Governing Board has agreed the following Spot Payment levels for SEN duties:

SEN 1 £2,085

SEN 2 £4116 to be applied after 2 years of SEN experience has been gained.

## **28. PART-TIME EMPLOYEES**

**Teachers:** Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time.

The Governing Board will apply the provisions of the Document in relation to part-time teachers' pay and working time, in accordance with paragraph 43 and 58, and paragraphs 57-66 and 83-91 of the section 3 guidance.

The Governing Board will give them a written statement detailing their working time obligations and the mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the school's timetabled teaching week for a full time teacher in an equivalent post.

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

### Calculation of Salary

Part-time teachers will be paid the pro rata percentage of the appropriate full-time equivalent salary. The same percentage will 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 Headteacher (or in the case where the part-time teacher is a Headteacher, the relevant body), will also be paid at the same rate.

The Governing Board will ensure that 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 the STP&CD.

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

## **29. TEACHERS EMPLOYED ON A SHORT NOTICE BASIS**

Teachers employed on a day-to-day or other short notice basis will be paid in accordance with paragraph 44 of the 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 who work less than a full day will be hourly paid and will have their salary calculated in accordance with the school's time tabled teaching week and the provisions for part time teachers as contained within the SCTP&CD.

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.

A short notice teacher who is employed by the same authority throughout a period of 12 months beginning in August or September must not be paid more in respect of that period than he would have received had he been in regular employment throughout the period.

## **30. ADDITIONAL PAYMENTS**

In accordance with paragraph 26 of the Document and paragraphs 60-68 of the section 3 guidance, the relevant body may make 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 head teacher or, in the case of the head teacher, between the Headteacher and the relevant body;

- additional responsibilities and activities due to, or in respect of, the provisions of services by the head teacher relating to the raising of educational standards to one or more additional schools.
- Teachers undertaking additional hours overnight at the Woodlodge facility will be paid at the appropriate rate.

The Resources Committee will make additional payments to teachers in accordance with the provisions of paragraph 26 of the Document where advised by the Head.

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

### **31. RECRUITMENT AND RETENTION INCENTIVE BENEFITS**

The Governing Board can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 27 of the Document and paragraphs 70 - 72 of the section 3 guidance).

The Resources Committee will consider exercising its powers under paragraph 27 of the Document 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 Governing Board will, nevertheless, conduct an annual formal review of all such awards and keep clear records of decisions made including any justification for extension of such an award.

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 Governing Board choose to use the 'wholly exceptional circumstances' discretion. The Governing Board will not award a recruitment or retention payment under paragraph 27 if they have already made an award or have taken such reason (recruitment or retention) into account when determining the ISR under an earlier Document.

### **32. SALARY SACRIFICE ARRANGEMENTS**

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 29 of the Document and para. 73 of the section 3 guidance.

### **33. SUPPORT STAFF**

The Resources Committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the School Staffing (England) Regulations 2009 and Chapter 7 of the associated guidance. The Resources Committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to

employment with the LA, which the Resources Committee consider appropriate for the post. In reaching its determination, the Resources Committee will consider the advice of the LA. The appeals process is set out in the appendix to this policy. The Governing Board considers that the contribution of support staff is essential to the School's life and effectiveness. Therefore, the school's pay policy will equally address the needs of support staff as well as those of teachers.

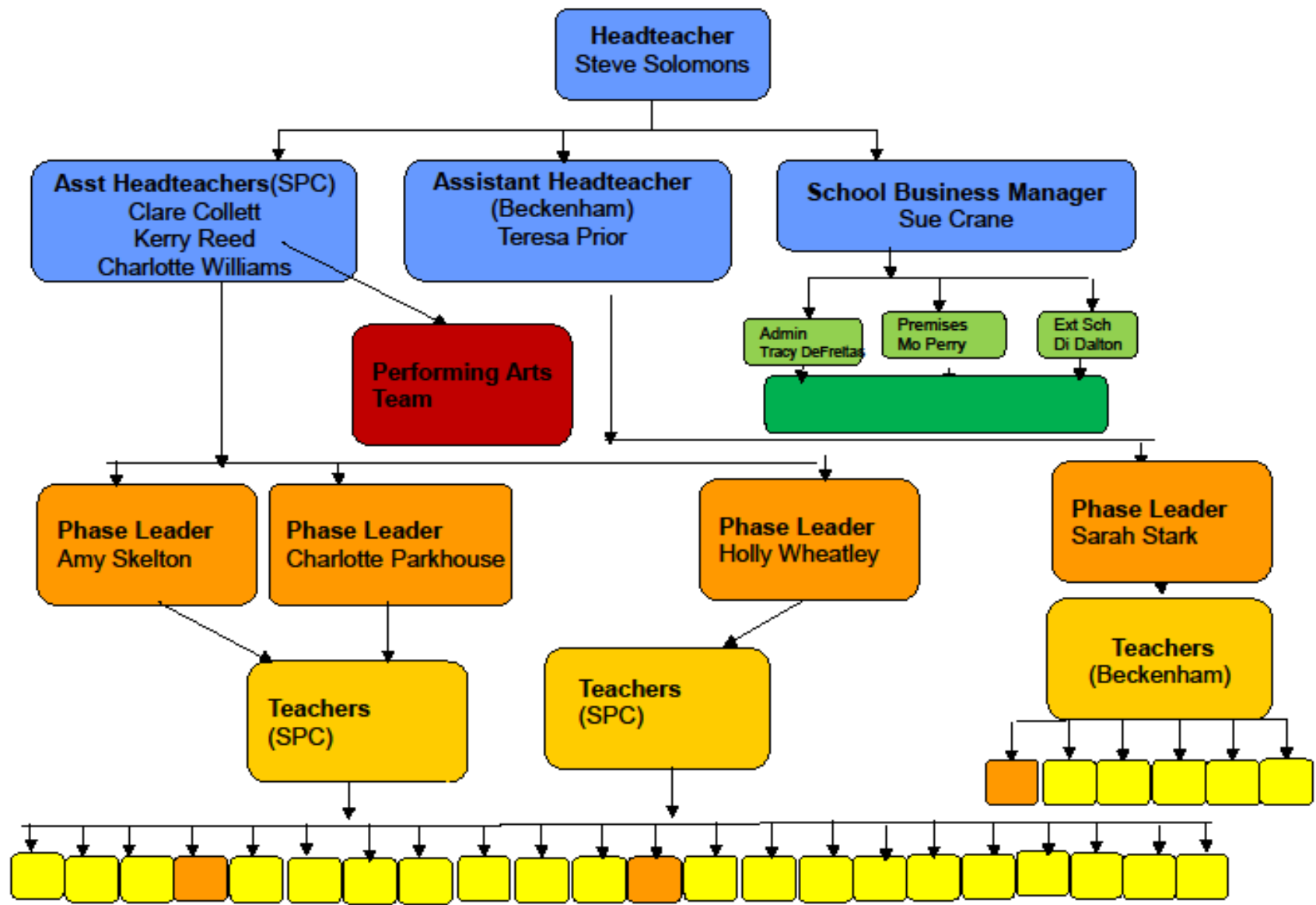
- (a) Support staff pay and conditions will correspond with the Bromley Council Localised Pay and Conditions of Employment.
- (b) An appraisal scheme for support staff is in operation. The scheme is based on best practice in the sphere of people management and staff development. All staff will be subject to regular performance appraisal/review in accordance with best practice.
- (c) All posts will be advertised on the appropriate Bromley Council BR pay grades. The grade used for a specific appointment will in general be determined in accordance with the LA's job evaluation scheme. However, the Governing Board may, in exceptional circumstances, exercise choice over the particular grade to be used in the light of the needs of the School.
- (d) The Headteacher, in consultation with the Chair of Governors, will determine the appropriate point on the evaluated scale having regard to relevant qualifications and/or experience, as well as the recruitment and retention needs of the school.
- (e) All new appointments will be subject to the Council's probationary requirements.
- (f) Any member of staff acting up to a higher position should have first agreed to take on the acting duties in question and the payment of such duties will be in accordance with the Bromley Council Localised Pay and Conditions of Employment.
- (g) If at any time the Headteacher, in consultation with the Chair of Governors, considers that a member of the support staff is being asked to undertake, or has undertaken, increased responsibility on a permanent or temporary basis, he/she shall refer the job description of the post, with the new responsibilities to be evaluated. If the evaluation provides for a higher salary, that salary will be paid to the post holder from a date determined by the Headteacher. In the case of a temporary increase in responsibility, the Headteacher will also determine the date at which the increased salary will cease.
- (h) The Governing Board retains the discretion to award staff honoraria or additional payments as they see fit. Payments will be made in accordance with LA advice and the corresponding terms and conditions of the staff concerned as prescribed in the LA's Human Resources Procedures Manual.

#### **34. PAY POLICY ANNEXES**

**Appendix 1 Riverside School staffing structure**

**Appendix 2 Model Appeals Procedure**

**Appendix 3 Provision of Services to Other Schools – Operating Principles and Requirements'**



## MODEL APPEALS PROCEDURE

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

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the Review Meeting prior to being submitted to the school's Pay Committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal Appeal Hearing Procedure. Appeal Hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

## APPEAL HEARING PROCEDURE

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

### Guidance

- When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.
- Teachers / Head Teachers should put their appeal in writing to either the Head Teacher or the Governing Board; their appeal should include sufficient details of its basis.
- Appeals should be heard without unreasonable delay and at an agreed date, time and place.
- Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

### Appeal Procedure Steps: Informal Stage

As part of the pay determination process, the line manager ("the recommendation provider") will make a recommendation to the "the decision maker" (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, "the decision maker" will write to

the teacher advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to “the decision maker”.

If the teacher wishes to appeal the decision, they must do so in writing to “the decision maker”, normally with 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, “the decision maker” must then arrange to meet the teacher to discuss the appeal. “The recommendation provider” should also be invited to the meeting to clarify the basis for the original recommendation.

“The decision maker” will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the Governing Board. If the teacher wishes to exercise their right of appeal, they must write to the Clerk of the Governing Board at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the Formal Stage of the Appeal Procedure.

### **Appeal Procedure Steps: Formal Stage**

On receipt of the written appeal, the Clerk to the Governing Board will establish an Appeal Committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the Appeal Committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both “the recommendation provider” and “the decision maker” will be required to attend the meeting.

The Chair of the Appeal Committee will invite the employee to set out their case. Both “the recommendation maker” and “the decision maker” will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the Appeal Committee will then consider all the evidence in private and reach a decision. The Appeal Committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Committee is final.

### **The Modified Procedure**

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

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

1. The teacher must have set out details of their appeal in writing;



2. The teacher must have sent a copy of their appeal to the Chair of the Governing Board; The Chair of the Governing Board will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.

## PROVISION OF SERVICES TO OTHER SCHOOLS – OPERATING PRINCIPLES AND REQUIREMENTS

- a. Any services provided by the Headteacher of one school to another school must be authorised formally by the Governing Board and where the work extends over more than a 12 month period, the agreement of the governing body must be formally reviewed annually, or sooner if appropriate. The Governing Board should also agree arrangements for terminating such work.
- b. Before such work is undertaken, the Governing Board and the Headteacher must take into account:
  - the needs of the school and its pupils;
  - the benefits that the activity would bring to the school;
  - the impact of any absence on other staff, including their workload; and
  - the workload and work-life balance of all the individuals concerned.
- c. In particular, before reaching a view the Governing Board should satisfy itself that these matters have been fully considered within the school's leadership team.
- d. Arrangements for payment for external work, including personal remuneration, must be clearly stated and formally incorporated into a protocol by the governing body (or the finance committee) and decisions duly minuted.
- e. The Headteacher and Governing Board should monitor the operation of the arrangements and their impact on staff and pupils and take action where arrangements prove to be unsatisfactory.
- f. The disposition of any payment, including personal remuneration, for external services must be agreed in advance in accordance with the determinations of the governing body. The terms of such an agreement must be set out in a memorandum signed by the chair of governors and the head teacher and any other members of staff involved.
- g. Any income derived from external sources for the work of a school's staff should accrue to the school. The Governing Board should decide whether it would be appropriate for individual members of staff to receive additional remuneration for these activities, and if so, determine the appropriate amount.
- h. The Governing Board should ensure that any expenses incurred by the individual as a result of taking on additional work are reimbursed, unless they are accounted for elsewhere.

(All references above to the 'Governing Board' refer to the Governing Board of the school whose Headteacher is providing services to another school.)