

## **Bilbrook Church of England Middle School Whole school pay policy**

### **INTRODUCTION**

P1. School Governors have considerable areas of discretion in determining the pay of individual employees at the school.

The School Teachers' Pay and Conditions Document has placed a statutory duty on schools 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 policy sets out the principles and procedures that should be exercised across all categories of staff. This should ensure fair and equitable treatment for all employees and minimise the prospect of disputes and legal challenge of pay decisions

When taking pay decisions, schools must have regard both to their pay policy and to the individual's particular post within the staffing structure. A copy of the staffing structure – revised as appropriate following the 2005 review of school staffing – will be attached to the pay policy, together with the implementation plan for bringing in changes

This pay policy is agreed by all the teachers' professional associations and trade unions representing support staff. All procedures for determining pay will be consistent with the principles of public life - objectivity, openness and accountability. The school will comply with [The Race Relations Act 1976](#), [The Sex Discrimination Act 1975](#), [The Equal Pay Act 1970](#), [The Disability Discrimination Act 1995](#), [The Employment Rights Act 1996](#), [The Employment Relations Act 1999](#) and [The Employment Act 2002](#), as well as

[The Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#), [The Employment Act 2002 \(Dispute Resolution\) Regulations](#), and [The Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#)

The Headteacher and governing body will consult staff and unions on this policy and review it each year, or when other changes occur to:

- a) The School Teachers' Pay and Conditions Document, to ensure that it reflects the latest legal position. The pay policy will comply with the current School Teachers' Pay and Conditions Document and the accompanying statutory guidance. It will be used in conjunction with them, but, in the event of any inadvertent contradictions, the Document and guidance will take precedence.
- b) The scheme of conditions of service agreed by the National Joint Council for Local Government Services (referred to as the "Green Book" in this policy), as adopted and applied by Staffordshire County Council through local agreement.

## **BASIC PRINCIPLES**

P2 The aims and objectives for the school as a whole are set out in the School Improvement Plan. This policy aims to support the plan by recognising that the school's staff are its most important resource and by providing a system which will enable Governors to recruit, retain and motivate staff of the best quality.

P3 All teachers employed at this school will be 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/paysite/>.

P4 All support staff employed at this school will be paid in accordance with the scheme of conditions of service agreed by the National Joint Council for Local Government Services (referred to as the "Green Book" in this policy), unless specifically advised by Staffordshire County Council to apply alternative conditions.

Governors will use only the discretion available to them in these documents/conditions.

P5 The Governing Body has adopted the County Council's Framework of Support Staff Profiles to ensure that the requirements of the Single Status Agreement 1997 are met. The Governing Body has the power to determine the job description and person specifications within the Framework that match the duties and responsibilities covered by positions within the support staffing structure for the school.

The pay and grading of support staff, attached to the Framework, is the single status pay and grading structure agreed by the County Council from 1 April 2008. In adopting the Single Status Pay and Grading Structure and Framework the Governing Body is assured that:

- (a) all decisions will be based on an objective approach to pay and grading according to criteria laid down in the relevant national agreements;
- (b) decisions will be applied as consistently as possible across the staff groups concerned as well as within those staff groups;
- (c) any differences in pay between two employees within the same staff group will be justified in terms of a genuine and material difference in their circumstances and duties and responsibilities undertaken;
- (d) all decisions will have regard to equality of opportunity, and in particular, relevant employment legislation;
- (e) posts carrying similar levels of responsibility will be rewarded equally and all staff will be treated equitably.

P6 Governors will determine the staffing structure for the school. This will set out the agreed posts, duties and responsibilities, and reporting lines. Both the STPCD and Green Book require that salaries and salary ranges attached to each post be based on the duties and responsibilities attached to it in the staffing structure.

The staffing structure will be reviewed annually.

## **PAY REVIEWS**

- P7 The governing body will ensure that every teacher's salary is reviewed with effect from 1 September and no later than 31 October 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. Decisions on the pay of the Headteacher will be communicated by the chair of the Governing Body, in writing, in accordance with STPCD (timing of salary determination and notification).
- P8 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.

## **THE PAY COMMITTEE**

- P9 The terms of reference for the pay/personnel committee are as follows:

### ***Staffing***

- 1 Ensure disciplinary and capability procedures follow LEA policy
- 2 Formulate and review the school's staffing structure and submit annually to the Finance Committee costings for proposed staffing levels
- 3 Review and develop staffing policies, including procedures for the selection and appointment of staff, professional development, staff well-being, and equal opportunities
- 4 Agree membership and procedures for staff appointments' panels
- 5 Monitor the school's procedure for staff development
- 6 Monitor the school's support for newly qualified teachers
- 7 Monitor and review the school's performance management policy and ensure statutory requirements are met

### ***Pay***

- 9 Determine and review the aims of the whole school pay policy and ensure they are met
- 10 Review the whole school pay policy annually to take account of local and national developments and make appropriate recommendations to the full governing body
- 11 Establish the criteria and procedures for determining all discretionary elements of the salary policy
- 12 Arrange for the annual review of staff pay

## **APPEALS**

- P10 All employees are entitled to seek a review of any determination in relation to their pay and therefore the appeals process contained in this document will be adopted in all cases where an employee wishes to make an appeal against a pay decision.  
(See appendices.)

## **HEADTEACHERS**

- P11 The unit total for the school is 2441 and the Governors have assigned the school Headteacher Group 3.

P12 Governors have assigned the individual school range (ISR) of Points 16 to 22, which is in line with guidance in the School Teachers' Pay and Conditions Document 2005.

### **DEPUTY AND ASSISTANT HEADTEACHERS**

P13 Governors have assigned the following salary ranges for other members of the Leadership Group.

- (a) Deputy Headteacher 1 Points, range 8 - 12
- (b) Assistant Headteacher 1 Points, range 7 - 11
- (c) Assistant Headteacher 1 Points, range 7 - 11

P14 The reasons for these decisions are as follows: the permitted points within the STPCD having reference to the headteacher's range and the salary of the next highest paid teacher; the relative responsibilities of leadership posts.

### **LEADERSHIP GROUP PROGRESSION CRITERIA**

P15 Members of the leadership group 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.

Normally there will be no movement by more than one point.

P16 The salary point of members of the Leadership Group will be reviewed annually taking account of the performance objectives set under the school's performance management system and the STPCD.

### **ADVANCED SKILLS TEACHERS (AST)**

P17 An Advanced Skills Teacher will be paid a salary based on the relevant pay spine determined by the Governing Body.

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 LEA and elsewhere will be taken into account.

Normally there will be no movement by more than one point.

### **EXCELLENT TEACHERS**

P18 This school has decided not to establish a post of Excellent Teacher

### **QUALIFIED TEACHERS**

P19 Other qualified Teachers will be paid on the pay scale for Classroom Teachers.

P20 Starting salary will be assessed individually and will include:

#### Mandatory points

- (a) one point for each year of qualifying employment which the Teacher has completed up to the maximum of the scale;

Classroom teachers will receive one extra point for each year of satisfactory performance. Unsatisfactory performers are considered to be those subject to formal capability proceedings

but may receive a point at the discretion of the governing body. Although classroom teachers may be awarded an extra point on the scale for excellent performance over the previous academic year, having regard to all aspects of their professional duties, but in particular classroom teaching, in this school we would not normally consider this to be appropriate.

#### Discretionary experience points

(b) additional points to reflect other relevant teaching experience as follows:

- One point on the 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 scale for each period of 3 years 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 scale for each period of 3 years of service teaching in further education, including sixth form colleges.
- One point on the scale for each period of 3 years of service teaching in higher education.

(c) Additional points to reflect the value of experience outside of teaching which will enhance the quality of teaching and contribute to the school. The points awarded will reflect the length of that experience and the extent of its relevance. It will be rare for one point to be awarded for each year.

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

One point on the scale for each period of 3 years spent outside teaching but working in a relevant area. This might include industrial or commercial training, and experience with children/young people

### **POST THRESHOLD TEACHERS**

P21 Teachers appointed after crossing the threshold will receive their existing salary on the Upper Pay Spine together with any allowances and responsibility payments appropriate to the post. A Classroom Teacher wishing to apply for assessment against the Threshold standards should submit an application to the Head Teacher by no later than **31 August**.

Progression onto the upper pay spine will be dependent on satisfying the national process for threshold assessment.

P22 Progression on UPS will be based on two successful consecutive performance management reviews, other than under the exceptional circumstances as provided for in the STPCD.

Only in exceptional circumstances will post-threshold teachers be awarded a further point on the upper pay scale more frequently than at two yearly intervals.

### **PART-TIME TEACHERS**

P23 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 mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements.

## **SHORT NOTICE/SUPPLY TEACHERS**

P24 Teachers who work on a day-to-day or other short notice basis have their pay determined in line with the statutory pay arrangements in the same way as other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195 and multiplied by the number of days worked.

Teachers who work less than a full day will have their salary calculated as an annual amount which will then be divided by 195, then pro rata to the length of the actual school day

## **UNQUALIFIED TEACHERS**

P25 Governors will recruit unqualified persons for teaching posts only when:

- (a) this is part of a recognised training scheme leading to Qualified Teacher Status or;
- (b) they have failed to recruit a qualified Teacher and the person has specialist knowledge, experience and/or qualifications in the areas being taught.

P26 Unqualified Teachers will be paid on the unqualified scale. Their starting salary will be dependent on their specialist knowledge, experience and qualifications. They will progress by one point (subject to satisfactory service) each year until they reach the maximum of the grade.

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 3 years of service as an overseas-trained

Teacher

One point on the unqualified teachers' scale for each period of 3 years of service teaching in further

education, including sixth form colleges.

One point on the unqualified teachers' scale for each period of 3 years 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 3 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.

### *Unqualified teachers' allowance*

The governing body may 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. Any unqualified teachers' allowances will be covered under recruitment and retention allowances.

## **ALLOWANCES AND PAYMENTS**

### P27 Special Educational Needs allowance

SEN allowance 1 will be awarded to a classroom teacher who is engaged wholly or mainly (ie for 75% or more of their timetabled teaching time) 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. In this respect, a “special class” is defined as a class of pupils where the majority are on the SEN register.

P28 SEN allowance 2 will not be awarded in this school.

### P29 Fast Track Teachers

The Governing Body will not employ Fast Track teachers.

### P30 Recruitment and Retention

The governing body may pay recruitment awards to teachers and unqualified teachers, of between £500 and £1,000 for a maximum of three years in the following circumstance: after two advertisements have failed to produce a suitable candidate for appointment.

The governing body may pay retention awards to teachers and unqualified teachers of between £500 and £1,000 for a maximum of three years in the following circumstances:

- Salary matching
- In recognition of income generation as a result of their retention.

The period of 3 years may be extended in “exceptional circumstances”.

The governing body will review the level of payment/benefits annually.

### P31 Teaching and Learning Responsibility Payments (TLRs)

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

TLRs were introduced in this 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:

- £3220 to the holder of the following posts:
- curriculum leaders in English, maths, science and ICT;
- the special educational needs co-ordinator

## **ADDITIONAL PAYMENTS**

P32 Governors are permitted to make additional payments to all teaching staff (including the **Leadership Group**) in respect of continuing professional development and activities and out of school hours learning undertaken other than on any of the 195 days of the normal working year (i.e. at weekends and during school closure periods).

Activities that will attract payment include:  
Continuing professional development  
Summer schools  
Out of school hours learning

The payments for summer schools and out of school hours learning will be as follows:

a daily rate of 1/195 of Point 6 on the Classroom Teachers' Scale, irrespective of the actual salary point of the Teacher concerned.

The payment for continuing professional development is described in paragraph 33.

P33 Governors accept that the absence from normal duties of a Teacher undertaking training will cause disturbance to the pupils' education. They have therefore authorised the payment of a special allowance where, in the opinion of the Headteacher, essential training can be received outside of the normal year and it is in the interests of the school for it to be received then. All such payments must be contained within the in-service training budget.

The allowance will be calculated as follows:

a daily rate of 1/195 of Point 6 on the Classroom Teachers' Scale, irrespective of the actual salary point of the Teacher concerned.

Payments for part days will be based on the hours involved; a full day being deemed to be 6½ hours.

The basis of these payments will be reviewed annually.

In all cases, the Teacher's participation in training outside of the normal year is voluntary.

## **SUPPORT STAFF**

P34

### **Introduction of single status pay and grading structure 1 April 2008:**

The governing body (through an appropriate Committee) has agreed to:

- (i) formally adopt the Framework of Support Staff Profiles and the County Council's Green Book Pay and Grading Framework as part of the Whole School Pay Policy;
- (ii) minute adoption and provide minutes of meeting to the local authority;
- (iii) ensure arrangements for assimilation of individual staff into positions within the Framework from 1 April 2008 are put into place;
- (iv) formally advise the Corporate Director (Children and Lifelong Learning), in writing, if a decision is made **not to adopt** the Framework and attached pay and grading structure.

### **Ongoing reviews**

The staffing structure is normally reviewed annually. When this review covers the support staff staffing structure the Governing Body (through an appropriate Committee) will use the Framework of Support Staff Profiles to determine the positions within the support staff structure and the pay grade applicable to the post.

When a position is not covered by the Framework, a job description and person specification will be submitted to the Workforce Development Team, HR Unit, Children and Lifelong Learning Directorate to ensure that duties and responsibilities are evaluated and an appropriate grade attached.

## **ACTING UP ALLOWANCES**

P37 Governors reserve the right to pay any member of staff additional salary where he/she covers in the prolonged absence of a more senior colleague. A review will take place within **20 working days** of the start of the absence.

## **APPEALS**

P38 The arrangements for considering appeals are as follows:

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

The following list includes the usual reasons for seeking a review of pay. i.e. that the person or committee by whom the decision was made –

- a) incorrectly applied any provision of the relevant conditions of service;
- 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 employee.

P39 The order of proceedings is as follows:

1. The employee receives written confirmation of the pay determination and where applicable the basis on which the decision was made.

2. If the employee 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.

Where this is not possible, or where the employee continues to be dissatisfied, he/she may follow a formal appeal process.

3. The employee 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.

4. The committee or person who made the determination should provide a hearing within ten working days of receipt of the written grounds for questioning the pay decision to consider this and give the employee 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.

5. 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.

**Bilbrook Church of England Middle School**

**Staffing Structure Review**

**2005**

**and**

**Implementation Plan**

**Bilbrook Church of England Middle School  
Current Staffing Structure (September 2005)**

Governors				
Headteacher				
<i>1 FTE</i>				
Leadership Group Deputy Headteacher Pay Scale 8 – 12 2 Assistant Headteachers (Key Stage 2; Key Stage 3 leaders) Pay Scale 7 – 11				
<i>3 FTE</i>				
<b>Teachers</b>	<b>Support Staff</b>			
Management point 2: English Maths Science ICT SENCO (on Leadership Group)  <i>5 FTE</i>	Administration 3 Staff          <i>2.3 FTE</i>	Technician          <i>1 FTE</i>	Senior teaching assistant          <i>1 FTE</i>	Lunchtime supervisors 5 staff          <i>0.75 FTE</i>
Main scale 7 Staff  <i>6.3 FTE</i>	Librarian          <i>0.4 FTE</i>		Teaching assistants 10 staff          <i>6.5 FTE</i>	

**Bilbrook Church of England Middle School  
Staffing Structure from January 2006**

Governors				
Headteacher				
<i>1 FTE</i>				
<i>Leadership Group</i> Deputy Headteacher Pay Scale 8 – 12 2 Assistant Headteachers (Key Stage 2; Key Stage 3 leaders) Pay Scale 7 – 11				
<i>3 FTE</i>				
<b>Teachers</b>	<b>Support Staff</b>			
<i>TLR 2, Level 1</i> £3320 English Maths Science ICT SENCO  <i>5 FTE</i>	<i>Administration</i> 3 Staff    <i>2.3 FTE</i>	<i>Technician</i>     <i>1 FTE</i>	<i>Senior teaching assistant</i>     <i>1 FTE</i>	<i>Lunchtime supervisors</i> 5 staff    <i>0.75 FTE</i>
Main scale: 7 Staff  <i>6.3 FTE</i>	Librarian    <i>0.4 FTE</i>		Teaching assistants 10 staff  <i>6.5 FTE</i>	

**Recruitment and retention award**

An award of £1,000 to be paid to Ms D Clacy for one year in recognition of her associate position on the leadership team, and her major contribution to current strategic initiatives in the school.

**Implementation plan:**

TLRs to be introduced from January 2006.

Recruitment and retention award to be paid for one year from January 2006.

**PROCEDURE FOR CONSIDERING APPEALS RELATING TO SALARY**

1. Introduction by Chairman: explanation of procedure.
2. The **[Insert name of original committee]** Committee representative (who may be the Headteacher) should put the case for the salary assessment decision.
3. The Appellant (or representative) may ask question of [       ] Committee representative.
4. The Appeals Committee may ask questions of the [       ] Committee representative.
5. The Appellant (or representative) should put the case explaining the objection to the decision of the [       ] Committee.
6. The [       ] Committee representative may ask questions of the Appellant.
7. The Appeals Committee may ask questions of the Appellant and ask further questions of the [       ] Committee representative regarding the case made on behalf of the Appellant.
8. The Headteacher to be invited to express her/his views if (s)he has not already done so.
9. The [       ] Committee representative to sum up case.
10. The Appellant (or representative) to sum up case.
11. The parties to retire.
12. The Appeals Committee to consider the case and to notify parties of their decision.

**This procedure may be varied by agreement of all the parties.**

**The Appeals Committee may ask a representative of the Corporate Director (Children and Lifelong Learning) to attend to offer advice to Governors.**