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| Staff responsible            | Andy Taylor   |
| Date of policy/last review   | 19/09/2018  |
| Governing body ratified      | 19/09/2018  |
| Chair of Governors signature |  |
| Review cycle                 | 1 year  |
| Next review                  | 19/09/2019  |

## 1. Statement of Intent

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1.1 The prime statutory duty of governing bodies in England, as set out in paragraph 21(2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The pay policy is intended to support that statutory duty. The governing body of Brent Knoll School will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

## 2. Equalities Legislation

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2.1 The governing body will comply with relevant equalities legislation:

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

2.2 The governing body will promote equality in all aspects of school life, particularly as regards all decisions on advertising of posts, appointing, promoting and paying staff, training and staff development.

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

## 3. Equalities And Performance Related Pay

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3.1 The governing body will ensure that its processes are open, transparent and fair. All decisions will be objectively justified. Adjustments will be made to take account of special circumstances, 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.

#### 4. Job Descriptions

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

#### 5. Equalities Legislation

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

#### 6. Appraisal

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

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

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

#### 7. Governing Body Obligations

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7.1 The governing body will fulfill its obligations to:

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

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

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

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

#### 8. Headteacher's Obligations

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8.1 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 body for approval;

- Ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly;
- Submit pay recommendations to the governing body and ensure the governing body has sufficient information upon which to make pay decisions
- Ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

## 9. Teachers' Obligations

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### 9.1 A teacher will:

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

## 10. Differentials

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

## 11. Discretionary Pay Awards

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

## 12. Safeguarding

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

## 13. Procedures

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13.1 The governing body will determine the annual pay budget on the recommendation of the pay committee, taking into account paragraph 21.2(e) of the Document.

13.2 The governing body has delegated its pay powers to the pay 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.

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

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

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

- To achieve the aims of the whole school pay policy in a fair and equal manner;
- To apply the criteria set by the whole school pay policy in determining the pay of each member of staff at the annual review;

- To observe all statutory and contractual obligations;
- To minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;
- To recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion and pay progression for all eligible teachers;
- To keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- To work with the head in ensuring that the governing body complies with the Appraisal Regulations 2012 (teachers).

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

13.7 Although the external adviser can give a professional judgment that, as a result of the appraisal, it might be appropriate for the governors to award performance points, it is the governing body's responsibility to decide on the pay of the head taking account of paragraph 6.2 (b) of the Document. It is not within the external adviser's remit to advise the governing body on the determination of the Individual School Range, nor to advise on the pay of any other leadership group member.

#### 14. Annual Determination of Pay

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

#### 15. Notification of Pay Determination

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15.1 Decisions will be communicated to each member of staff by the head in writing in accordance with paragraph 3.4 of the Document and will set out the reasons why decisions have been taken. Decisions on the pay of the head will be communicated by the pay committee, in writing, in accordance with paragraph 3.4 of the Document. An instruction to amend pay from the relevant date will be issued immediately after the time limit for the lodging of an appeal has passed, or immediately after an appeal has been concluded.

#### 16. Appeals Procedure

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

#### 17. Headteacher Pay

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##### 17.1 Pay on appointment

For appointments on or after 1 September 2013, the governing body 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 pay committee will review the school's Headteacher group and the head's Individual School Range (ISR) 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 pay 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 pay 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 pay committee will consider exercising its discretion to award a discretionary payment under 11.5(b) where the governing body consider the school would have difficulty recruiting to the vacant head teacher post;
- The pay 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 pay 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 body which in turn will seek external independent advice before providing such agreement.

#### 17.2 Serving Head teachers

The governing body will determine the salary of a serving Head teacher in accordance with paragraph 6 of the Document.

- the pay committee will review the head teacher's pay in accordance with paragraph 6.2(b) 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 pay 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 12 of section 3 guidance);
- If the pay 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 11; and paragraph 13 of the section 3 guidance;
- If the head teacher 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). If this arrangement were to become permanent, the head's pay would be determined in accordance with paragraph 11.2.4. and 6.2(e).
- The pay committee will consider the use of discretionary payments, as per the provisions of paragraphs 11.4.1 to 11.6.2.
- The pay 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 body which in turn will seek external independent advice before providing such agreement.

### 18. Deputy/Assistant Head Teachers

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#### 18.1 Pay on appointment

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

- The pay committee will determine a pay range 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 pay 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 pay committee will exercise its discretion under paragraph 12.3 of the Document, and pay any of the bottom three points on the deputy/assistant head pay range, in order to secure the appointment of its preferred candidate.
- The pay committee will exercise its discretion under paragraph 47 of Document where there are recruitment issues.

#### 18.2 Serving deputy/assistant head teachers

The governing body will determine the salary of a serving deputy or assistant head teacher in accordance with paragraph 12 of the Document.

- The pay 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 pay committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant head teacher (paragraph 29 of section 3 guidance);
- The pay 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;

## 19. Acting Allowances

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19.1 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 pay committee will, within a four week period of the commencement of acting duties, determine whether or not the acting postholder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence. Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid 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.

## 20. Classroom Teachers

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### 20.1 Pay on appointment

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

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

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

20.2 In the context of a formal capability procedure, the pay committee will restore the withheld point at the conclusion of the capability procedure where satisfactory performance has been achieved. Where the teacher is subject to the Appraisal Regulations 2012, the pay committee may decide to award one additional point provided the teacher's performance in the previous school year was excellent, having regard to the results of the most recent appraisal (paragraph 18.2.1 (c), the Document 2012).

Where the teacher is not subject to the Appraisal Regulations 2012, the pay committee may decide to award one additional point where the teacher's performance in the previous 12 months was excellent having regard to all aspects of his/her professional duties and the Teachers' Standards, but in particular classroom teaching, in accordance with paragraph 18.2.1(c) of the Document 2012.

20.3 Pay determinations for existing main pay range teachers, effective from 1 September 2014.

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

£ (Inner London Area salary)

|                   |        |
|-------------------|--------|
| Minimum           | 29,664 |
| Reference point 1 | 31,211 |
| Reference point 2 | 32,837 |
| Reference point 3 | 34,548 |
| Reference point 4 | 37,206 |
| Maximum           | 40,372 |

- 20.4 Classroom teachers in their induction year will be awarded pay progression of one point on the successful completion of induction.  
 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. Teaching should be over time consistently 'good', as defined by Ofsted. If the evidence shows that a teacher has exceptional performance, the governing body may consider the use of its flexibilities to award enhanced pay progression, up to a maximum of two points. Teaching should be over time consistently 'outstanding', as defined by Ofsted.
- 20.5 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
- 20.6 Further information, including sources of evidence, is contained in the school's appraisal policy.
- 20.7 Classroom teachers will be awarded pay progression on the Main Pay Range following each successful appraisal review unless significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.  
 A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.
- 20.8 The pay committee will be advised by the Head teacher in making all such decisions. Any increase (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The pay committee will be able to justify its decisions.

## 21. Applications to be paid on the Upper Pay Range

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- 21.1 From 1 September 2013, 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.

The pay committee will use reference points. Therefore the pay scale for upper pay range teachers in this school is:

£ (Inner London Area salary)

|           |        |
|-----------|--------|
| Minimum   | 44,489 |
| Mid-Point | 46,676 |
| Maximum   | 48,244 |

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

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

- 21.2 Process:

One application may be submitted annually. The closing date for applications is normally 31st December 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:

- Complete the school's application form;
- Submit the application form and supporting evidence to the Head teacher by the cut-off date of 31st December.
- The assessor (the head or deputy head) will assess the application, which will include a recommendation to the pay committee of the relevant body;

- The application, evidence and recommendation will be passed to the Head teacher for moderation purposes, if the Head teacher is not the assessor;
- The pay committee will make the final decision, advised by the head teacher;
- Teachers will receive written notification of the outcome of their application by 31st January. 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 point of the UPR on 1 September in the relevant academic year.
- Unsuccessful applicants can appeal the decision. The appeals process is set out at the back of this pay policy.

### 21.3 Assessment:

The teacher will be required to meet the criteria set out in paragraph 17 of the Document, namely that:

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

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

**"Highly competent"**: the teacher's performance is assessed as demonstrating excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

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

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

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

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

## 22. Upper Pay Range

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### 22.1 Pay determinations effective from 1 September 2014

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

- Paragraph 21 and the criteria set out in paragraph 17.2 of the Document 2013;
- 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 paragraph 17.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher's achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, "Applications to be paid on the Upper Pay Range".

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

Where it is clear from the evidence that the teacher's performance is exceptional, in relation to the criteria set out above (see 'Applications to be Paid on the Upper Pay Range'), and where the teacher has met or exceeded their objectives, the pay committee may use its flexibility to decide

on enhanced progression from the minimum to the maximum of the UPR. Teaching should be over time consistently 'outstanding', as defined by Ofsted.

- 22.3 For new appointees the teacher's performance appraisal reports from previous schools can be considered by the governing body as appropriate.
- 22.4 Decisions not to progress up the pay range will only be made in circumstances where significant concerns about standards of performance have been raised in writing with the teacher during the annual appraisal cycle.
- 22.5 A written cause for concern will also document the support to be provided by the school to address the area requiring improvement.
- 22.6 Further information, including sources of evidence is contained within the school's appraisal policy.
- 22.7 The pay committee will be advised by the head teacher in making all such decisions.

## 23. Leading Practitioner Roles

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23.1 The governing body will take account of paragraph 56 of the Document when determining the role of leading practitioner in this school. Additional duties will be set out in the job description of the leading practitioner 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 school community) which impact significantly on pupil progress;
- Improving the effectiveness of staff and colleagues, particularly in relation to specific areas such as improving the quality of teaching and learning

23.2 Pay on appointment

The pay committee will determine a three point pay range from minimum to maximum for each leading practitioner post in accordance with paragraph 18 of the Document; and paragraphs 44 to 47 of the section 3 guidance. In setting the pay range for each post the pay committee will ensure appropriate differentials (see 'Differentials').

23.3 Pay determinations with effect from 1 September 2014

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

The pay committee shall have regard to the results of the leading practitioner's appraisal, including the pay recommendation, when exercising any discretion in relation to their pay, in accordance with paragraph 21 of the Document.

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

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

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

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

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

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

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

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

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

## 24. Unqualified Teachers

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### 24.1 Pay on appointment

The pay committee will pay any unqualified teacher in accordance with paragraph 19 of the Document. The pay committee will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The pay committee will consider whether it wishes to pay an additional allowance, in accordance with paragraph 28.1

Where the teacher is subject to the Appraisal Regulations 2012, the pay committee may award one additional point where the teacher's performance in the previous 12 months was excellent having regard to the results of the most recent appraisal.

Where the teacher is not subject to the Appraisal Regulations 2012, the pay committee may award one additional point where the teacher's performance in the previous school year was excellent, having regard to all aspects of the teacher's professional duties, in particular, classroom teaching.

### 24.2 Pay determinations effective from 1 September 2017

The pay committee will use reference points. Therefore the pay scale for unqualified teachers in this school is:

£ (Inner London Area salary)

|                   |        |
|-------------------|--------|
| Minimum           | 21,641 |
| Reference point 1 | 23,642 |
| Reference point 2 | 25,644 |
| Reference point 3 | 27,644 |
| Reference point 4 | 29,644 |
| Maximum           | 31,644 |

### 24.3 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 two points.

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

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

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

### 24.4 The pay committee will be advised by the Head teacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The pay committee will be able to objectively justify its decisions.

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

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

## 25. Teaching and Learning Responsibility Payments

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25.1 The pay committee may award a TLR to a classroom teacher in accordance with paragraph 23 - 25 of the Document and paragraphs 31 to 37 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 at paragraph 23 - 25.

25.2 The Governing Body pays TLR1 and 2 payments to teachers as indicated in the staffing structure attached as an addendum to this policy, and will consult with staff and trade unions within the school in the event of any change or review of those structures.

25.3 The pay committee may award a TLR3 for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 25.1 and where there is a genuine

development or operational need. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges. The governing body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

## 26. Special Needs Allowance

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- 26.1 The pay committee will award an SEN spot value allowance on a range of between £2149 and £4242 to any classroom teacher who meets the criteria as set out in paragraph 27 of the Document.
- 26.2 When deciding on the amount of the allowance to be paid, the governing body will take into account the structure of the school's SEN provision, whether any mandatory qualifications are required for the post, the qualifications or expertise of the teacher relevant to the post; and the relative demands of the post (paragraph 27.3 of the Document). The governing body will also establish differential values in relation to SEN roles in the school in order to reflect significant differences in the nature and challenge of the work entailed so that the different payment levels can be objectively justified. The governing body will take account of paragraphs 38 to 43 of the section 3 guidance.

## 27. Support Staff

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- 27.1 The pay 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 pay committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the pay committee consider appropriate for the post. In reaching its determination, the pay committee will consider the advice of the LA and, where the school has signed up to this, take account of the LA Single Status Agreement. Where posts are created that are covered by separate pay scales e.g. Speech and Language Therapist posts covered by NHS pay scales, those pay scales will apply.
- 27.2 The appeals process is set out in the appendix to this policy.

## 28. Part-time Employees

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

## 29. Teachers employed on a short-term basis

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- 29.1 Such teachers will be paid in accordance with paragraph 44 of the Document.

## 30. Additional Payments

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- 30.1 In accordance with paragraph 46 of the Document and paragraphs 67-77 of the section 3 guidance, the relevant body may make payments as they see fit to a teacher, including a head teacher in respect of:
- Continuing professional development undertaken outside the school day;
  - Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
  - Participation in out-of-school hours learning activity agreed between the teacher and the head teacher or, in the case of the head teacher, between the head teacher and the relevant body;

- Additional responsibilities and activities due to, or in respect of, the provisions of services by the Head teacher relating to the raising of educational standards to one or more additional schools.

30.2 The pay committee will make additional payments to teachers in accordance with the provisions of paragraph 46 of the Document where advised by the Head. Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary.

### 31. Recruitment and Retention Incentive Benefits

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

### 32. Salary Sacrifice Arrangements

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32.1 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 49 of the Document.

## 1. General context

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

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

- The relevant ACAS codes of practice and
- The School Teachers' Pay and Conditions Document 2013.

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

## 2. General provisions

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

## 3. Appeals against pay determinations

### Assumptions

- In practice the governing body will have delegated decisions relating to pay progression to the pay committee i.e. the "decision maker".
- The "decision maker" must take account of any pay recommendation from the reviewer(s), i.e. the "recommendation provider", normally the head teacher, save in the case of the Head teacher where this will be the governors appointed to carry out this role .

### Procedural stages

1. As part of the overall appraisal process, a performance assessment will be made by the appraiser (normally the line manager) and discussed with the teacher at the review meeting.
2. The performance assessment will be passed to the Head teacher to consider an appropriate recommendation in respect of pay. The head teacher will moderate performance assessment and initial pay recommendations across the school to ensure consistency and fairness. The Head teacher's recommendation on pay will be included in the draft statement that is provided to the teacher. At this stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/Head teacher, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any such discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay

recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

3. The "recommendation provider" will make recommendations to the "decision maker" with respect to each individual employee. These may include an outline of the evidence that has been used to arrive at the recommendation, how this relates to the guidance in the Document and the school's pay policy. Copies of the teacher's review statements including the pay recommendation may be read by the "decision maker", as part of the deliberations.

4. The "decision maker" will reach a decision and write to the employee, advising him/her of that decision, the reasons for the decision and the employee's right to make representations to the "decision maker". If the employee wishes to take advantage of this right, he/she must write to the "decision maker" within 10 school working days. His/her letter must include a statement, in sufficient detail, of the representations that he/she intends to make.

5. The "decision maker" must then arrange to meet with the employee to receive representations about their decision. Any "recommendation provider" should be invited to attend the meeting, to respond to the employee's representations and to clarify the basis for the original recommendation. If the "recommendation provider" does attend the meeting it will be in the role of a witness, as the representations are against the decision of the "decision maker" not against the recommendation.

6. The "decision maker" will reconsider the decision in private and write to the employee to notify him/her of the outcome of the fresh deliberations and of the employee's right of appeal to a committee of the governing body. If the employee wishes to take advantage of this right, he/she must write to the Clerk to Governors or the school's HR Adviser in Lewisham Schools' HR [amend as appropriate] within 10 school working days. He/she must include a statement of the grounds for his/her appeal and sufficient details of the facts on which he/she will rely.

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

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

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

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

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

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

## The Modified Procedure

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

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

1. The teacher must have set out details of their appeal in writing;
2. The teacher must have sent a copy of their appeal to the Chair of the Governing Body;
3. The Chair of the Governing Body will consult with relevant school personnel and provide the teacher with an appropriate written response on behalf of the school.

(1) Professional attributes

1.1 Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.

(2) Professional knowledge and understanding

2.1 Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.

2.2 Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.

2.3 Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.

2.4 Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.

2.5 Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.

(3) Professional skills

3.1 Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.

3.2 Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.

3.3 Promote collaboration and work effectively as a team member.

3.4 Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.