



## **Policy for Determining Teachers' Pay at Rush Common School**

### **Introduction**

In this policy as in all documents of Rush Common Academy Trust ("RCAT"), any reference to Governors of Rush Common School or Trustees of Rush Common Academy Trust is a reference to the Board of Directors of Rush Common Academy Trust and any reference to the Headteacher of Rush Common School is a reference to the Chief Executive Officer of RCAT.

The policy covers teachers, whose statutory pay and conditions of service fall under the terms of the School Teachers' Pay and Conditions Document as transferred as part of the TUPE process when academy conversion took place. A separate pay policy covers arrangements for support staff in schools.

This policy was adopted following consultation with staff and representatives of the recognised Trade Unions.

Unless indicated otherwise, all references to "teacher" include the Headteacher.

### **Purpose**

This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document ("the Document").

In adopting this pay policy the aim is to:

- maximise the quality of teaching and learning at the School;
- support the recruitment and retention of a high quality teacher workforce;
- enable the School to recognise and reward teachers appropriately for their contribution to the School;
- ensure that decisions on pay are managed in a fair, objective and transparent way.

Pay decisions at this school are made by the Board of Directors which has delegated certain responsibilities and decision making powers to the Human Resources Committee as set out in Annex A. The Human Resources Committee is responsible for the establishment and review of the policy, subject to the approval of the Board of Directors and, has full authority to take pay decisions on behalf of the Board of Directors in accordance with this policy. The Headteacher is responsible for advising the Human Resources Committee on its decisions.

### **1. Pay reviews**

1.1 The Board of Directors will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October (31 December for headteachers) and, that all teachers are given a written statement

setting out their salary and any other financial benefits to which they are entitled.

- 1.2 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.
- 1.3 Where a pay determination leads or may lead to the start of a period of safeguarding, the Board of Directors will give the required notification as soon as possible and no later than one month after the date of the determination.

## **2. Basic pay determination on appointment**

- 2.1 The Board of Directors will determine the pay range for a vacancy prior to advertising it. On appointment it will determine the starting salary within that range to be offered to the successful candidate.
- 2.2 In making such determinations, the Board of Directors may take into account a range of factors, including:
  - the nature of the post;
  - the level of qualifications, skills and experience required;
  - market conditions;
  - the wider context.
- 2.3 There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.
- 2.4 When determining the starting pay for a classroom teacher who has previously worked in a local authority maintained school or academy in England and Wales, the Board of Directors will normally pay the teacher on the Main Pay Range or Upper Pay Range at a scale point which at least maintains the teacher's previous pay entitlement plus any pay progression which they would have received had they remained in their previous post. In circumstances where a different determination\* is made the reasons for the determination<sup>1</sup> will be recorded in writing, following discussion with the applicant with a view to reaching agreement on starting pay.
- 2.5 When determining the starting pay for a classroom teacher taking up their first appointment as a qualified teacher, the Board of Directors will normally pay the teacher on the minimum of the Main Pay Range.

\* Circumstances in which a different determination could be made might for example include a teacher who has only two years' experience as a qualified teacher and who has been paid by their previous school at the top of the Main Pay Range. The Board of Directors may decide that they should be paid no more than other teachers with similar experience already employed at the school.

2.6 The Board of Directors may consider awarding one or more additional points for relevant experience on the following basis (the maximum number of additional points awarded will normally be two):

- One point for each year of employment as a qualified teacher in higher or further education, including sixth form colleges or in independent schools in England and Wales or in the European Economic Area and Switzerland.
- One point for each year of employment as a qualified teacher within state sector schools outside England and Wales.
- One point for each three years' experience outside teaching which the Board of Directors considers to be of value to the performance of the teacher's duties, e.g. industrial or commercial training, work in an occupation relevant to the teacher's work at the school, and experience with children/young people.

### 3. Pay ranges for classroom teachers

The Board of Directors has established the following pay scales for teachers whose posts are paid on the Main Pay Range and the Upper Pay Range:

#### Main Pay Range

Point	Annual salary £
M1	22,244
M2	24,002
M3	25,932
M4	27,927
M5	30,128
M6	32,831

#### Upper Pay Range

Point	Annual salary £
U1	35,218
U2	36,523
U3	37,871

### 4. Pay range for Leading Practitioner posts

4.1 The primary purpose of Leading Practitioner posts is the modeling and leading improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure.

4.2 If the Board of Directors has determined that Leading Practitioner teacher posts are required they must be identified in the school's staffing structure.

4.3 The Board of Directors has established the following pay scale for Leading Practitioner posts:

<b>Point</b>	<b>Annual salary £</b>
LP 1	38,598
LP 2	39,564
LP 3	40,552
LP 4	41,562
LP 5	42,597
LP 6	43,665
LP 7	44,841
LP 8	45,876
LP 9	47,021
LP 10	48,228
LP 11	49,481
LP 12	50,620
LP 13	51,886
LP 14	53,180
LP 15	54,503
LP 16	55,951
LP 17	56,237
LP 18	58,677

4.4 The individual post range for a Leading Practitioner post will consist of five consecutive points on the Leading Practitioner pay scale.

4.5 When determining the pay scales for Leading Practitioner posts, the Board of Directors will have regard for the challenge, demand and responsibilities of the post and keep in mind the need to ensure pay equality between posts of equal weight and fairness in pay relativities. If more than one Leading Practitioner post is determined the individual post range for each post should be determined separately.

4.6 The policy of the Board of Directors is to appoint any new Leading Practitioner teacher at the bottom point of the individual post range.

## 5. Unqualified teachers

5.1 The Board of Directors has established the following pay scales for unqualified teachers:

Point	Annual salary £
UQ1	16,298
UQ2	18,194
UQ3	20,088
UQ4	21,984
UQ5	23,881
UQ6	25,776

There are different types of 'unqualified teacher' described in the Document:

- i. trainees working towards qualified teacher status (QTS);
- ii. overseas trained teachers; and
- iii. instructors who are people with a particular skill, special qualifications and or experience.

5.2 The Board of Directors will determine the starting pay of an unqualified teacher. The Board of Directors may consider awarding one or more points above the minimum for relevant qualifications and experience on the following basis:

Qualifications (maximum of 1 point):

- 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 for each year of service as an overseas-trained teacher.
- One point for each year of service teaching in further education, including sixth form colleges.
- One point for each year of service teaching in higher education.

5.3 The Board of Directors will consider awarding on a case by case basis:

- One point on the unqualified teachers' scale for each period of three years spent outside teaching but working in a relevant area. This might include industrial or commercial training, time spent working in an occupation relevant to the teacher's work at the School, and experience with children/young people.
- An unqualified teacher who becomes qualified must be moved to the main pay range for classroom teachers according to the rules set out in the Document.

\*Since 1 April 2012, further education teachers who have been awarded QTLS by the Institute for Learning (IfL) and are members of the IfL are recognised as qualified teachers in schools.

\*\*STPCD 2015 Section 2, Paragraph 18

The Board of Directors will pay an unqualified teacher enrolled on one of the salaried employment based routes into teaching on the unqualified teachers' range.

## 6. Unqualified teachers' allowance

- 6.1 The Board of Directors may pay an allowance to an unqualified teacher who takes on a sustained additional responsibility which:
- is focused on teaching and learning;
  - requires the exercise of a teacher's professional skills and judgment; or
  - where the individual has qualifications or experience which bring added value to the role being undertaken.
- 6.2 The value of the allowance will be determined by the post held in the school's structure and also the ability to recruit and retain in that post.
- 6.3 Unqualified teachers may not hold TLR payments or SEN allowances.

## 7. Leadership group pay

- 7.1 Changes to the determination of leadership group pay under the 2014 Document should only be applied to individuals appointed to a leadership post on or after 1 September 2014 or those whose responsibilities have significantly changed on or after that date.
- 7.2 RCAT may choose to review the pay of all of their leadership posts under the new arrangements if it determines that this is required to maintain consistency with pay arrangements for new appointments to the leadership team made on or after 1 September 2014
- 7.3 Posts paid on the Leadership Pay Range must be identified in the School's staffing structure.
- 7.4 The Board of Directors has established the following pay scales for teachers whose posts are paid on the Leadership Pay Range:

Point	Annual salary £	Point	Annual salary £
L 1	38,598	L 23	66,318
L 2	39,564	L 24*	67,290/67,963
L 3	40,552	L 25	69,652
L 4	41,562	L 26	71,375
L 5	42,597	L 27*	72,419/73,144
L 6	43,665	L 28	74,958
L 7	44,841	L 29	76,814
L 8	45,876	L 30	78,726
L 9	47,021	L 31*	79,872/80,671
L 10	48,228	L 32	82,676
L 11	49,481	L 33	84,731
L 12	50,620	L 34	86,825
L 13	51,886	L 35*	88,102/88,984

L 14	53,180	L 36	91,187
L 15	54,503	L 37	93,454
L 16	55,951	L 38	95,766
L 17	57,237	L 39*	97,128/98,100
L 18*	58,096/58,667	L 40	100,548
L 19	60,131	L 41	103,060
L 20	61,623	L 42	105,642
L 21*	62,521/63,147	L 43*	107,210
L 22	64,715		

\*The 2015 pay award does not include an increase to the maximum point within each of the eight Headteachers groups. i.e. L18, L21, L24, L27, L31, L35, L39 and L43. In the table above where two values are given for these points, the higher value may only be used where the point is included in the individual seven point Headteacher range for the school and is not the maximum value of the Headteacher group for the school.

## 8. Headteachers' pay

The Board of Directors will determine the pay range for the Headteacher when they propose to make a new appointment or if there has been a significant change in the responsibilities of the Headteacher, or at any time if they consider it necessary to review the range to retain a headteacher.

## 9. New Headteacher

9.1 The Board of Directors will decide a range of seven pay points for the Headteacher from the range of points available for the Headteacher group of the School. The Headteacher group will be determined in accordance with the Document\*\*.

Headteacher Group	Range of points	Annual salary range £
1	L6 – L18	43,665 – 58,096
2	L8 – L21	45,876 – 62,521
3	L11 – L24	49,481 – 67,290
4	L14 – L27	53,180 – 72,419
5	L18 – L31	58,677 – 79,872
6	L21 – L35	63,147 – 88,102
7	L24 – L39	67,963 – 97,128
8	L28 – L43	74,958 – 107,210

9.2 When determining the salary of a new headteacher, the Board of Directors must take into account all of the permanent responsibilities of the role, any challenges that are specific to the role and, all other relevant considerations,

\*\*STPCD 2015 Section 2, Paragraphs 5-9

including any recruitment or retention issues. In the case of a new appointment, the Board of Directors may wish to consider adjusting the pay range to take account of how closely their preferred candidate meets the requirements of the post. A new headteacher will normally be placed at one of the first four points of the headteacher's pay range to ensure that there is appropriate scope within the range to allow for performance related progress over time.

- 9.3 In setting the headteacher's pay range, the Board of Directors will have regard to the highest point on the range for a deputy or assistant head and the salary of the highest paid teacher\*, to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability.
- 9.4 The headteacher's pay range will be reviewed if it is necessary to take account of any change to the size or group of the School, or if there is a significant change to the responsibilities of the post or if a review is necessary to maintain consistency with pay arrangements for new appointments to the leadership team. The Human Resources Committee should formally record the School's headteacher pay range and the reasoning for their decision. The Board of Directors should not take account of the salary of the serving Headteacher if they re-determine the headteacher's pay range.
- 9.5 Pay ranges for headteachers should not normally exceed the maximum of the Headteacher group. However, the headteacher's pay range (where determined on or after 1 September 2014) may exceed the maximum where the Board of Directors determines that circumstances specific to the role or candidate warrant a higher than normal payment. The Board of Directors will ensure that the maximum of the Headteacher's pay range does not exceed the maximum of the Headteacher group by more than 25% unless in exceptional circumstances and where supported by a business case\*\*.
- 9.6 The Board of Directors may determine that additional discretionary payments be made to a headteacher for clearly temporary responsibilities or duties that are in addition to the post for which their salary has been determined. In each case the relevant body must not have previously taken such reason or circumstance into account when determining the Headteachers pay range. The total sum of payments made to a headteacher in any school year must not exceed 25% of the annual salary which is otherwise payable to the Headteacher, and the total sum of salary and other payments made to a headteacher must not exceed 25% above the maximum of the Headteacher group unless in wholly exceptional circumstances and where supported by a business case\*\*\*.

\*The highest paid classroom teacher at the School is a notional calculation based on the value of UPR 1 and the total value of the highest TLR and/or SEN allowance awarded at the School.

\*\*In these circumstances the Board of Directors must seek external, independent advice. STPCD 2015 Section 2, Paragraph 9

\*\*\*In these circumstances the Board of Directors must seek external, independent advice. STPCD 2015 Section 2, Paragraph 9

## **10. Extended Services**

The Board of Directors has discretion to take account of significant additional responsibility for which the Headteacher is directly accountable to the local authority. Any salary uplift should be proportionate to the level of accountability and responsibility being undertaken.

## **11. Head of more than one school**

11.1 Where the Headteacher is appointed as a Headteacher of more than one school on a permanent basis, the relevant body of the headteacher's original school or under the Collaboration Regulations\*, the collaborating body must calculate the Headteacher group by the application of the total unit score of all the schools for which the Headteacher is responsible\*\*.

11.2 If the headteacher is appointed as a temporary acting headteacher of one or more additional schools there is a clear expectation that the collaboration will be time-limited and subject to regular review; the maximum duration should be no more than two years. In these circumstances, if it is decided to make a temporary payment to a headteacher, the total sum of additional payments made in any school year must not exceed 25 per cent of the amount that corresponds to that headteacher's point on the leadership group pay spine\*\*\*.

11.3 The Board of Directors needs to establish clarity around how the arrangements will work in practice and how they will be brought to an end.

## **12. Pay range for Deputy Headteachers and Assistant Headteachers**

12.1 The Board of Directors should determine the pay range for deputy and assistant headteachers when it proposes to make new appointments, or where there is a significant change in the responsibilities of serving deputy or assistant headteachers. When determining an appropriate pay range, the Board of Directors should take account all of the permanent responsibilities of the role, any challenges that are specific to the role, and all other relevant considerations, including any recruitment or retention issues.

12.2 The pay range should only be reviewed if there is significant change to the responsibilities of the post or if a review is necessary to maintain consistency with pay arrangements for new appointments to the leadership team.

\*School Governance (Collaboration) (England) Regulations 2003 S.I. 2003/1962

\*\*STPCD 2015 Section 2, Paragraph 6.6 (7.9 for Special schools)

\*\*\*Detailed guidance in STPCD 2015 Section 2, Paragraph 10 and section 3, Paragraphs 16-23

12.3 The Board of Directors will decide a range of five pay points for deputy and assistant headteachers. Ranges for deputy and assistant headteachers should be set between the bottom of the Headteacher's range and the highest paid classroom teacher\*. A new deputy or assistant Headteacher will normally be placed at one of the first three points of the pay range to ensure that there is appropriate scope within the range to allow for performance related progress over time.

### **13. Pay progression based on performance**

13.1 All decisions about pay progression for teachers must be linked to performance. ie. Movement up the appropriate pay range, must be linked to performance.

13.2 In this school all teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice.

13.3 The arrangements for teacher and headteacher appraisal are set out in the School's Appraisal Policy.

13.4 Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain. In the case of NQTs, pay decisions will be made by means of the statutory induction process.

13.5 It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

13.6 In this school, assessment of performance will be made through the appraisal process and will include assessment of performance against the Teachers' Standards (and/or other relevant standards) and appraisal objectives. Teachers will be eligible for standard pay progression if they are assessed as meeting the Teachers' Standards (and/or other relevant standards) and their appraisal objectives.

13.7 The evidence to be used for assessment will be made clear to all teachers at the start of the appraisal cycle and may include e.g. self-assessment, pupil progress data, lesson observations, feedback on pupils' learning.

13.8 To be fair and transparent, assessments of performance will be properly rooted in evidence. In this school we will ensure fairness by annual monitoring of the application of the Appraisal Policy, the Pay Policy and of pay decisions. The school will ensure that appraisal objectives and assessments are consistent. Arrangements for quality assurance and moderation are set out in the Appraisal Policy.

\*The highest paid classroom teacher at the School is a notional calculation based on the value of UPR 1 and the total value of the highest TLR and/or SEN allowance awarded at the School.

- 13.9 Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Human Resources Committee of the Board of Directors, having regard to the appraisal report and taking into account advice from the Headteacher.
- 13.10 The Board of Directors will ensure that appropriate funding is allocated for pay progression at all levels.
- 13.11 All teachers can expect progression to the top of their pay range as a result of successful appraisal reviews.

### **Classroom Teachers**

- 13.12 A classroom teacher who is assessed as meeting the Teachers' Standards (and/or other relevant standards) and their appraisal objectives will receive standard progression to the next point on the appropriate pay range. For teachers on the Upper Pay Range, standard progression will be made on the basis of two successful, consecutive appraisal reviews.
- 13.13 A teacher who is assessed as exceeding the Teachers' Standards (and/or other relevant standards) and their appraisal objectives may receive enhanced progression as set out in the table below.
- 13.14 A teacher whose performance does not meet the Teachers' Standards (and/or other relevant standards) and/or their appraisal objectives may be considered not to be eligible for pay progression. While it is possible for a 'no progression' determination to be made without recourse to the capability procedure, there is an expectation that concerns about a teacher's performance will have been made clear in writing through the appraisal process<sup>2</sup> and that these have not been sufficiently addressed through support provided by the School.

## **14. Leadership teachers**

- 14.1 Those on the leadership pay range play a critical role in the life of the School. They inspire confidence in those around them and work with others to create a shared strategic vision which motivates pupils and staff. They take the lead in enhancing standards of teaching and learning and value enthusiasm and innovation in others. They have the confidence and ability to make management and organisational decisions and ensure equity, access and entitlement to learning.
- 14.2 To achieve progression teachers on the leadership pay range are required to demonstrate sustained high quality performance with particular regard to

---

<sup>2</sup> Please refer to Rush Commons Policy for appraising teacher and support staff performance and dealing with concerns about performance

leadership, management and pupil progress at the school and will be subject to a review of performance against the Teachers' Standards (and/or other relevant standards) and appraisal objectives before any performance points will be awarded.

- 14.3 Annual pay progression within the range for these posts is not automatic. The Board of Directors will consider whether to award one or two pay progression points.

### **Pay Progression**

<b>Pay range</b>	<b>Standard progression</b>	<b>Enhanced progression</b>
Main	1 point	2 points
Upper	1 point after two successful reviews	
Leading practitioner	1 point	2 points
Leadership	1 point	2 points
Unqualified	1 point	2 points

## **15. Movement to the upper pay range**

### **15.1 Applications and Evidence**

15.1.1 Any qualified teacher may apply to be paid on the Upper Pay Range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

15.1.2 Applications may be made once a year. Where teachers wish to be assessed, they should notify the Headteacher in writing using the application form (as at Annex D).

15.1.3 An application can be made at any point in the current academic year for payment on the Upper Pay Range to be made from the following September. An application can be made up to 31 October for consideration on the basis of performance in the previous two years and, if successful, payment on the Upper Pay Range will be backdated to 1 September.

15.1.4 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 Upper Pay Range in that school or schools. This school will not be bound by any pay decision made by another school.

### **15.2 The assessment**

15.2.1 An application from a qualified teacher will be successful where the Board of Directors is satisfied that:

- the teacher is highly competent in all elements of the Teachers' Standards (and/or other relevant standards); and

- the teacher's achievements and contribution to the school are substantial and sustained.

15.2.2 For the purposes of this Pay Policy, the Board of Directors will be satisfied that the teacher has met the expectations for progression to the Upper Pay Range where the Upper Pay Range Criteria (see Annex E) have been satisfied as evidenced by two successful and consecutive performance management/appraisal reviews.

15.2.3 In making a decision, the Headteacher will have regard to the two most recent performance management/appraisal reviews.

### **15.3 Processes and procedures**

15.3.1 The assessment will be made by the Headteacher within 10 working days of the receipt of the application or the conclusion of the appraisal process, whichever is later. If successful, the Headteacher will make a recommendation to the Human Resources Committee of the Board of Directors that the applicant will move to the Upper Pay Range. He/she will be placed on point 1 of that pay scale.

15.3.2 If an application is unsuccessful, feedback will be provided by the Headteacher as soon as possible and at least within 10 working days of the decision; feedback will cover the reasons for the decision and the appeal arrangements available to the teacher. Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard under the School's arrangements for pay appeals.

### **15.4 Teachers on maternity or long-term sick leave**

15.4.1 A year for the purpose of pay progression or providing evidence to support an application for movement to the Upper Pay Range Criteria is as defined in the Document\* and permits certain periods of absence to be counted towards the period of a year. In particular, a teacher who is absent from work due to maternity leave or pregnancy can count her absence towards the period of a year. Appraisal objectives should be revised in advance to take account of the period when the teacher will be absent.

15.4.2 For a teacher who has an extended period of sickness absence the agreed appraisal objectives may be revised when the teacher returns to work or the length and impact of the absence on the teacher's ability to achieve his/her objectives will be taken into account in the assessment at the end of the appraisal cycle.

15.4.3 In either case where the teacher cannot provide evidence to support an application for movement to the Upper Pay Range from the two years immediately preceding their application they may submit evidence from a longer period, normally, the two years immediately prior to the start of their absence.

\*STPCD 2015, Section 2, Annex 3, Paragraph 7

## **16. Part-time teachers**

- 16.1 Teachers employed on an on-going basis at the school but who work less than a full working week are deemed to be part-time. The Board of Directors will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the School's timetabled teaching week for a full-time teacher in an equivalent post.\*
- 16.2 Part-time teachers must be paid the pro rata percentage of the appropriate full-time equivalent salary\*\*. The same percentage must be applied to any allowances awarded to a part-time teacher.
- 16.3 Any additional hours worked by agreement from time to time will be paid at the same rate.

## **17. Short notice/supply teachers**

- 17.1 Teachers employed on a day-to-day or other short notice basis will be paid 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.
- 17.2 Teachers who are employed to teach for the full pupil day will be paid at a daily rate of 1/195th of the annual pay they would receive if engaged on a regular contract.
- 17.3 Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by the proportion of the full pupil day which they teach.
- 17.4 Rates for supply teachers should be established through the normal process of assessing their appropriate point on the main or Upper Pay Range unless the teacher has agreed a different rate in advance.

## **18. Discretionary allowances and payments**

### **18.1 Teaching and Learning Responsibility Payments (TLRs)**

- 18.1.1 A TLR 2 or TLR 1 is awarded to a classroom teacher who holds a permanent TLR post identified in the school's staffing structure which requires the teacher to undertake a sustained additional responsibility for which he/she is accountable.
- 18.1.2 A TLR 3 may be awarded to a classroom teacher for a specific time-limited school improvement project or one-off externally driven responsibility. The Board of Directors must ensure that the reason for the award of a TLR 3 and its duration is established at the outset, in writing. Recruitment to a TLR 3 will normally be through an open recruitment process.

\*STPCD 2015, Section 3, Paragraph 39-44

\*\*STPCD 2015, Section 3, Paragraph 40

18.1.3 With the exception of sub paragraphs (c) and (e) below which do not have to apply to the award of a TLR 3, before awarding any TLR, the Board of Directors 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.

18.1.4 In addition, before awarding a TLR 1, the Board of Directors must be satisfied that the significant responsibility referred to in the previous paragraph includes line management responsibility for a significant number of people.

18.1.5 The annual value of a TLR 2 must be no less than £2,613 and no greater than £6,386. The annual value of a TLR 1 must be no less than £7,546 and no greater than £12,770.

The annual value of a TLR 3 must be no less than £517 and no more than £2,557. Payment of a TLR 3 must be made monthly. TLR 3s are not subject to safeguarding.

The Board of Directors has established the following values for TLR payments.

<b>TLR 2</b>	<b>£</b>
2 (1)	2,613
2 (2)	4,353
2 (3a) or (3b)	6,093 or 6,386
<b>TLR 1</b>	
1 (1)	7,546
1 (2)	9,285
1 (3)	11,026
1 (4)	12,770
<b>TLR 3</b>	
Minimum	517
Maximum	2,577

18.1.6 A TLR payment is integral to a post in the school's staffing structure and therefore may not be shared unless two or more people job share that post. A teacher may not be awarded more than one TLR1 or TLR2 concurrently however a teacher in receipt of either a TLR1 or TLR2 may also hold a concurrent TLR3.

A TLR1 or TLR2 awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part-time contract. The pro-rata principle does not apply to a TLR3 awarded to a part-time teacher.

## **18.2 Special Educational Needs (SEN)**

18.2.1 A SEN allowance is payable to a classroom teacher:

- in any SEN post that requires a mandatory SEN qualification;
- in a special school;
- who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service;
- in any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post:
  - a) involves a substantial element of working directly with children with special educational needs;
  - b) requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs; and
  - c) has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

18.2.2 Where a SEN allowance is to be paid, the Board of Directors must determine the spot value of the allowance, taking into account the structure of the school's SEN provision and the following factors:

- 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.

18.2.3 The annual value of a SEN allowance must be no less than £2,064 and no more than £4,075. The Board of Directors must set out, in writing, the amount of any allowance and the reason for the award.

18.2.4 SEN allowances may be held at the same time as TLRs. However, the Board of Directors should ensure that holders of SEN allowances are not carrying out tasks that would be more appropriately undertaken by support staff. The Board of Directors should also consider whether, if teachers have responsibilities that meet the criteria for the award of a TLR payment, it would be more appropriate to award a TLR payment.

## Other additional payments

The Board of Directors may make additional payments to teachers in respect of the following:

- 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 activities agreed between the teacher and the Headteacher.
- Additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of education standards to one or more additional schools.
- Continuing professional development

18.2.5 Teachers who undertake voluntary continuing professional development outside the school day may be entitled to an additional payment if this is agreed in advance. This may be determined as a daily or hourly rate calculated with reference to the teacher's actual pay or where appropriate at a higher level to reflect the responsibility and size of the commitment. A higher rate may be determined by multiplying the daily or hourly rate by a factor, e.g. x1.5, x2 or by determining a flat rate payment.

### 18.3.2 Initial teacher training activities

Teachers, who undertake school-based initial teacher training (ITT) activities as part of the ordinary conduct of the school may be entitled to a payment if this is agreed in advance. This may be determined as a daily or hourly rate calculated with reference to the teacher's actual pay or where appropriate at a higher level to reflect the responsibility and size of the commitment. A higher rate may be determined by multiplying the daily or hourly rate by a factor, e.g. x1.5, x2 or by determining a flat rate payment.

- i. Activities that might attract a payment include supervising and observing teaching practice; giving feedback to trainee teachers on their performance and acting as a professional mentor; running seminars or tutorials on aspects of the course and formally assessing students' competence.
- ii. Other aspects of ITT activities cannot be regarded as part of the ordinary conduct of the school. Such activities include the additional requirements of School Centred ITT (SCITT), where schools take the lead in providing ITT courses. They may include planning and preparing materials for an ITT course, and taking responsibility for the well-being and tuition of ITT students.

- iii. Teachers who undertake ITT activities which are not seen as part of the ordinary running of the school will be issued with separate contracts of employment which are not on teachers' terms and conditions, to cover those areas of work that are not part of their substantive teaching job or contract of employment.

### **18.3.3 Out-of-school learning activities**

Teachers who agree to provide learning activities outside of the normal school hours may be entitled to a payment if this is agreed in advance. This may be determined as a daily or hourly rate calculated with reference to the teacher's actual pay or where appropriate at a higher level to reflect the responsibility and size of the commitment. A higher rate may be determined by multiplying the daily or hourly rate by a factor, e.g. x1.5, x2 or by determining a flat rate payment. Payments to classroom teachers should only be made in respect of activities undertaken outside of directed time.

- i. Activities that may attract payment include breakfast clubs, homework clubs; summer schools, outdoor activities and clubs linked to the curriculum and one to one tuition taking place outside the school day where the activities require the exercise of the teacher's professional skills or judgement.
- ii. With the remodelling of the school workforce and the need to ensure downward pressure on teachers' working hours many schools are using support staff and other adults to undertake these activities.

### **18.6 Provision of services by the Headteacher**

The Board of Directors has discretion to make payments to Headteachers who provide an external service to one or more additional schools, for example as a National Leader of Education (NLE) and also to any of the School's teachers whose post acquires additional responsibility as a result of the Headteacher's activities. Payments are not automatic. Detailed guidance on the operating principles and requirements which apply to the provision of services to other schools is set out in the Document\*. A record of a decision to make such payments should be recorded in Annex B.

### **18.4 Recruitment and retention incentives and benefits**

18.7.1 The Board of Directors may make such payments or provide other financial assistance, support or benefits to a teacher as it considers necessary as an incentive for the recruitment of new teachers and the retention in their service of existing teachers. It must make clear at the outset, in writing, the expected duration of any recruitment or retention benefits and the review date after which they may be withdrawn.

\*STPCD 2015 Section 3, paragraphs 65 to 68

18.7.2 The Board of Directors will review the level of payment/benefits annually. Payments may only be made for recruitment and retention purposes, not for carrying out specific responsibilities or to supplement pay for other reasons.

18.7.3 Headteachers, Deputy Headteachers and assistant Headteachers may not be awarded recruitment or retention payments other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to leadership group posts must be taken into account when determining the salary range for the post.

18.7.4 Where the relevant body pays a recruitment or retention benefit under a previous document (i.e. 2013 or earlier), subject to review, it may continue to make that payment at its current value until such time as the respective pay range is determined under the document.

18.7.5 If the Board of Directors decides that it wishes to make recruitment and/or retention payments, Annex B should be completed to explain the criteria by which the Board of Directors will determine the nature and level of any such payment.

## **18.8 Residential duties**

Teachers working in residential special schools are normally entitled to be paid for residential duties in accordance with national agreements reached by the Joint Negotiating Committee for Teachers in Residential Establishments.

## **18.9 Honoraria**

The Board of Directors will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher. There is no provision within the School Teachers' Pay and Conditions Document for the payment of any bonuses or honoraria in any circumstances. Any such award to a teacher for their teaching work would be unlawful.

## **19. Safeguarded payments and allowances**

19.1 Safeguarding arrangements will apply according to the provisions of the Document\*.

19.2 Safeguarding applied on or after 1 January 2006 is for a period not exceeding three years and may end sooner in the circumstances set out in the Document. General safeguarding applied on or before 31 December 2005 is not subject to the three year limit.

\*STPCD 2015 Section 2, paragraphs 31 to 39

## **20. Pay increases arising from changes to the document**

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time.

## **21. Pay appeals**

21.1 The arrangements for considering appeals are as described below; this is also shown in diagrammatic form in Annex G.

21.2 Teachers may seek a review of any determination in relation to their pay or any other decision taken by the Board of Directors (or a committee or individual acting with delegated authority) that affects their pay.

21.3 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:

- incorrectly applied any provision of the Document or the School's Pay Policy;
- failed to have proper regard for statutory guidance;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the teacher.

21.4 The order of proceedings is as follows:

- The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
- If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the Headteacher or decision-maker within 10 working days of the notification of the decision.
- Where an informal discussion is not possible, or where the teacher continues to be dissatisfied, he/she may follow a formal process.
- The teacher should set down in writing the grounds for questioning the pay decision and send it to the Human Resources Committee, within ten working days of the notification of the decision being questioned or of the outcome of the informal discussion referred to above.
- The Human Resources Committee should arrange a meeting to consider the teacher's concerns and give the teacher an opportunity to make representations in person. The teacher is entitled to be accompanied by a union representative or work colleague. Following the meeting the employee should be informed in writing within three working days of the outcome of the review and his/her right to appeal.
- If the teacher wishes to appeal he/she should provide written notification of the grounds for his/her appeal within 10 working days of notification of the outcome of the review.

- Any appeal should be heard by a panel of three directors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The teacher will be given the opportunity to make representations in person and is entitled to be accompanied by a union representative or work colleague. 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.

21.5 Annex F details the procedure for the hearing of the appeal.

## **22. Monitoring the impact of the policy**

22.1 The Board of Directors will monitor the outcomes and impact of this policy on a regular basis. The Human Resources Committee will prepare an annual written report on the operation of the Pay Policy, including trends in progression across specific groups of teachers to assess its effect and the School's continued compliance with equalities legislation.

## **23. Review of this policy**

The Board of Directors, through its Human Resources Committee, review this policy every three years. It may however review this policy earlier than this if the government produces new regulations, or if it receives recommendations on how this policy might be improved.

**Approved by the Human Resources Committee of the Board of Directors of the Rush Common Academy Trust on 23 October 2015.**

**Signed: C Wilmshurst (Chair of Board of Directors)**

**Signed: L Youngman (Headteacher)**

**Date for review: October 2018**

## **Annex A**

### **Remit for the Human Resources Committee of the Board of Directors of Rush Common Academy Trust**

The Human Resources Committee will comprise at least three Directors. All Directors, including those employed at the School, will be eligible for membership of the Human Resources Committee and will be eligible to take part in any discussions (including those relating to individuals) where their interest is no greater than that of the generality of employees at the school.

### **Establishment of the Pay Policy for teachers**

The Human Resources Committee is responsible for establishing the Policy for teachers and for support staff, in consultation with the Headteacher, staff and trade union representatives, and submitting it to the Board of Directors for approval.

The Board of Directors is responsible for formal approval of the Policy.

### **Monitoring and review of the Policy**

The Human Resources Committee is responsible for reviewing the Policy annually and preparing a report to assess its effect and the school's continued compliance with equalities legislation. The report must include trends in progression across specific groups of teachers.

The Board of Directors is responsible for considering an annual report on the outcomes and impact of the Pay Policy.

### **Application of the Policy**

The Headteacher is responsible for:

- ensuring that pay recommendations for the Deputy and Assistant Headteacher(s) and classroom teachers are made and submitted to the Human Resources Committee in accordance with the terms of the Policy;
- ensuring that pay recommendations for support staff are made and submitted to the Human Resources Committee in accordance with the terms of the policy;
- advising the Human Resources Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Human Resources Committee and of the right of appeal.

The Human Resources Committee is responsible for:

- taking decisions regarding the pay of the deputy and assistant head teacher(s) and classroom teachers following consideration of the recommendations of pay reviewers and the advice of the Headteacher;

- taking decisions regarding the pay of the Headteacher following consideration of the recommendations of the Directors responsible for the Headteacher's performance review;
- submitting reports of these decisions to The Board of Directors; and
- ensuring that the Headteacher is informed of the outcome of the decision of the Human Resources Committee in respect of the Headteacher's pay and of the right of appeal;
- ensuring that the pay and grading of support staff is within the agreed framework of grades determined through the Job Evaluation scheme;
- carrying out an annual review of the use of recruitment and retention payments for teachers.

The Board of Directors is responsible for:

- establishing an Appeals Committee to take decisions on appeals against the decisions of the Human Resources Committee in accordance with the terms of the appeals procedure of the Policy.

## Annex B

### Summary of decisions in relation to specific pay provisions at Rush Common School

Rush Common School

In this school the relevant body is **the Rush Common Academy Trust**.

The Human Resources Committee of the Board of Directors should review these provisions and record their decisions annually. Any award(s) should be communicated to the member of staff in writing.

#### Teachers

##### Payments to the Headteacher for provision of services

The rules around payments are explained on page 17 of the Pay Policy.

The criteria by which the Board of Directors determines the nature and level of such payments and the value of any discretionary payments and the value of any discretionary payments attached to the Headteacher and the time for which the payment is made is as follows:

- whether the responsibility is temporary or permanent
- the time required directly by the Headteacher to complete/undertake the service(s)
- the level and profile of the service(s) e.g. support to local schools, projects for recognised national organisations

##### Recruitment and Retention Payments

The rules around payments are explained on page 17 of the Pay Policy

The Board of Directors may pay recruitment awards to **teachers on any part of the pay scale of up to £1,000** for up to of **three years** in the following circumstances:

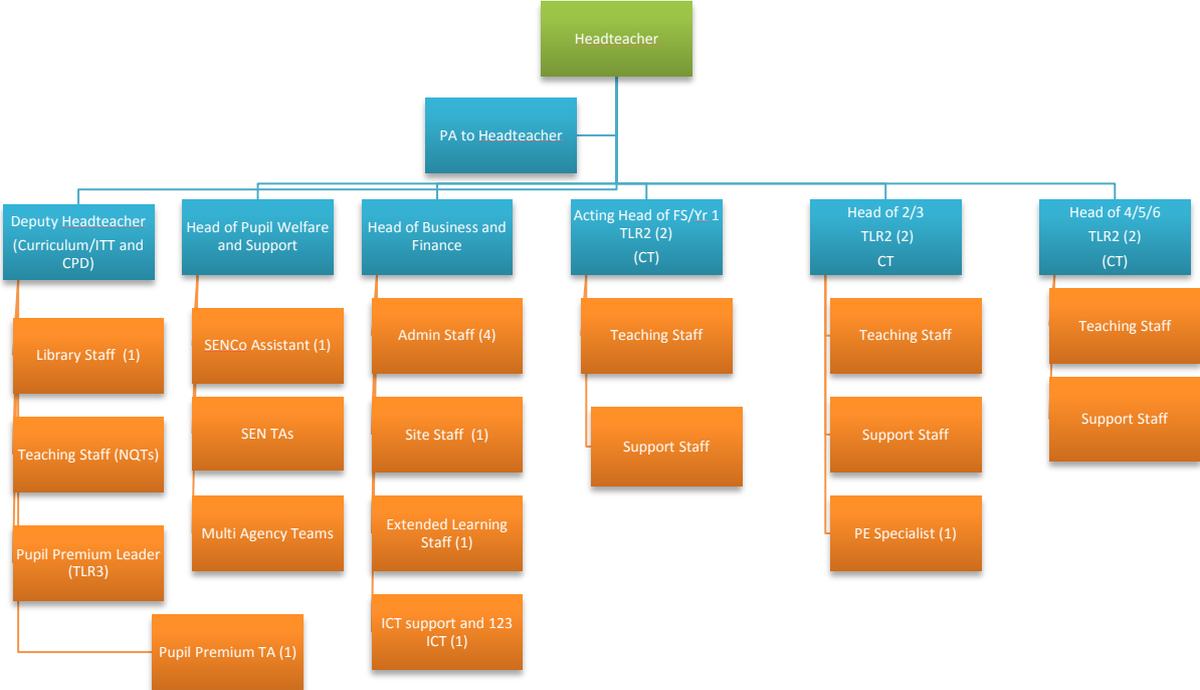
- to support relocation costs
- after one advertisements have failed to produce a suitable candidate for appointment
- to attract a high calibre and experienced candidate with a core subject expertise or subject expertise shortage
- when headhunting

The Board of Directors may pay retention awards to **teachers on any part of the pay scale** of up to **£1,000** for **up to three years** in the following circumstances:

- In “exceptional circumstances” to retain specific expertise
- **when a staff member has been ‘headhunted’ by another establishment/profession**

# Annex C – School Staffing Structure

## Rush Common School Structure 15/16



## **Annex D – Upper Pay Range Application Form**

### **Notes for applicants:**

The process for applying to be paid on the Upper Pay Range is set out in the Academy's Pay Policy.

### **Eligibility**

In order to be assessed you will need to hold Qualified Teacher Status on the date of your request. Any qualified teacher may apply to be paid on the upper pay range. It is your responsibility to decide whether or not you wish to apply to be paid on the upper pay range.

### **Timing of application**

An application can be made at any point in the current academic year for payment on the Upper Pay Range to be made from the following September.

An application can be made up to 31 October for consideration on the basis of performance in the previous two years and, if successful, payment on the Upper Pay Range will be backdated to 1 September.

Note: Only one application can made in any academic year.

### **Process**

You must enclose copies of your Appraisal Reports and/or performance management planning and review statements that relate to the two years immediately prior to the date on which you submit your request.

Sign and date the form and pass it to your headteacher by 31 October. You should keep a copy for your records.

### **Assessment**

An application will be successful where the Board of Directors is satisfied that:

- a) the teacher is highly competent in all elements of the Teachers' Standards (and/or other relevant standards);
- b) the teacher's Appraisal Reports and/or performance management reviews demonstrate that they have worked at the level of the Upper Pay Range Criteria for a sustained period during the two years preceding their application; and
- c) the teacher's achievements and contribution to the School are substantial and sustained.

The Upper Pay Range Criteria can be found in Annex E.

Assessment will be made by the Headteacher within 10 working days of the receipt of the application or the conclusion of the appraisal process, whichever is later, a recommendation will be made to the Human Resources Committee of the Board of Directors and the outcome will be communicated to the teacher in writing.

If your application is unsuccessful you have a right of appeal. The appeal will be heard under the arrangements for pay appeals.

## **Notes for headteachers**

### **Actions to be taken:**

Check that the teacher is eligible to be assessed.

On the basis of the evidence contained in the appraisal reports and/or performance management records confirm that the teacher meets the Teachers' Standards.

If the Teachers' Standards are not met, assessment against the Upper Pay Range Criteria should not proceed. The Headteacher must write to the teacher setting out the reasons for the judgement.

If the Teachers' Standards are met assess whether the teacher meets the Upper Pay Range Criteria set out in Annex E of the Pay Policy, having regard to the evidence contained in the appraisal reports and/or planning and review statements.

Make an overall judgement on whether the Upper Pay Range Criteria are met/not yet met.

Complete the Headteacher's statement (see Part 2) and provide a copy to the teacher within 10 working days of the decision.

Inform the Human Resources Committee of the Board of Directors of the decision.

If the application is successful and the Pay Committee accepts the Headteacher's recommendation, notify the Schools Payroll Provider that the teacher should be paid on the Upper Pay Range.

If the application is unsuccessful, the teacher has a right of appeal. The appeal will be heard under the arrangements for pay appeals.

**Part 1 - Upper Pay Range application**

*This form should be handled in confidence at all times*

<b>To be completed by the teacher</b>		
<b>Name:</b>		
Please give details of previous employers if you are submitting appraisal reports or performance management statements from another school or academy		
<b>Name and address of school / academy</b>	<b>Date(s) of employment</b>	<b>Name of Headteacher</b>
<b>Declaration by the teacher</b>		
I confirm that at the date of this request I meet the eligibility criteria and I submit appraisal reports and/or performance management statements covering the two year period prior to this request for assessment against the Teachers' Standards and the Upper Pay Range Criteria.		
<b>Teacher's signature:</b>		<b>Date:</b>

**Part 2 – Upper Pay Range application - Headteacher’s statement**

**Name of teacher:**

**Teachers’ Standards**

<b>Met</b>		<b>Not met</b>	
------------	--	----------------	--

To be successful, the teacher must first meet the Teachers’ Standards. Assessment against the Upper Pay Range Criteria may not proceed where the teacher does not meet the Teachers’ Standards. If the Teacher’s Standards are not met you should provide a detailed explanation below why they have not been met.

**Upper Pay Range Criteria**

<b>Met</b>		<b>Not met</b>	
------------	--	----------------	--

If, in your judgement, all the Upper Pay Range Criteria have not yet been met throughout the relevant period you should provide a detailed explanation below why they have not been met.

Please indicate any further areas of professional development for the teacher.

**Teachers’ Standards / Upper Pay Range Criteria not met - explanation**

**You have the right to appeal this decision. If you wish to appeal you must follow the procedure set out in the Pay Policy. Note: you must take action within 10 working days of the notification of this decision.**

**Headteacher’s signature:**

**Date:**

## **Annex E – Upper Pay Range criteria**

### **Professional attributes**

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

### **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.

### **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.

### **Additional note**

**A teacher who has achieved a rating of highly competent in the eight core teaching standards at their annual appraisal meetings, (as per the Policy for appraising teacher performance), will be deemed to have demonstrated the above level of performance/competence.**

## **Annex F – Pay Policy Appeal Hearing**

### **Procedure**

Establish that the meeting is to hear a review or appeal against a decision taken under the Pay Policy.

All evidence submitted for consideration should have been circulated in advance. (Chair to check that all involved have been provided with identical evidence).

### **Conduct of the Appeal**

- (a) The Chair introduces those present.
- (b) The Chair invites the employee to identify areas of appeal.
- (c) The Chair invites the employer to ask questions of the employee.
- (d) The Chair invites members of the panel to ask questions of the employee.
- (e) The Chair invites the employer to respond to the case presented.
- (f) The Chair invites the employee to ask questions of the employer.
- (g) The Chair invites members of the panel to ask questions of the employer.
- (h) The Chair invites the employee to summarise the case.
- (i) The Chair invites the employer to summarise the case.
- (j) Both parties withdraw while the panel considers the evidence.

### **Pay Policy Appeal Panel Considerations**

The Appeal Panel considers the evidence, decides whether the case is proven and whether the decision made is appropriate and if it is not what decision applies.

### **Panel Decision**

The Chair communicates the decision of the Appeal Panel. A copy of the decision letter is sent to all involved within three working days.

# Pay Policy Appeal

