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# Teaching Staff Pay Policy (LLT)



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## 1 INTRODUCTION

- 1.1 The Lydiate Learning Trust (LLT) Board has adopted the policy set out in this document to provide a clear framework for the management of pay and grading issues for teaching staff employed by the Trust.
- 1.2 The LLT Board is committed to taking decisions in accordance with the 'key principles of public life': objectivity, openness and accountability. It recognises the requirement for a fair and transparent policy to determine the pay and grading for teaching staff employed by the Trust, which takes account of the conditions of service under which staff are employed and relevant statutory requirements.
- 1.3 The LLT Board recognises its responsibilities under relevant legislation including the Equality Act 2010, the Employment Relations Act 1999, the Part -time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and will ensure that all pay related decisions are taken equitably and fairly in compliance with statutory requirements.
- 1.4 The LLT Board recognises the requirement that all pay progression decisions for all teaching staff must be linked to annual appraisal of performance. The procedures set out in this policy seek to ensure that this is achieved in a fair, equitable and transparent way. The Board also recognises any contractual uplifts to pay i.e. cost of living increase.
- 1.5 This policy will be adopted by the Pay & Staffing Committee of the Trust schools following consultation with staff and the recognised trade unions. Any subsequent changes will also be subject to further consultation before amendment by the Trust Board. The Pay & Staffing Committee will have full authority to take decisions on behalf of the LLT Board on pay matters as defined in this policy. The remit for this Committee is attached as Appendix 1.
- 1.6 Any decisions/payments made in relation to severance or ex-gratia payments will be handled in line with the 'Guide to Academy Trust Severance Payments' which can be accessed via .gov website.
- 1.7 The Policy will be reviewed at least annually by the LLT Board.

## 2 AIMS OF THE POLICY

- 2.1 The Trust Board aims to use the school pay policy to:
  - Review every qualified teacher's pay annually;
  - Maintain and improve the quality of teaching and learning at the school;
  - Support the school improvement plan;
  - Underpin the school's Appraisal policy;
  - Ensure that all staff are valued and appropriately rewarded for their work contribution in the school;
  - Ensure staff are well motivated, supported by positive recruitment and retention policies and staff development;
  - Demonstrate that decisions on pay are fair and equitable and recognise the principle of equal pay for like work and work of equal value;

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- Provide flexibility to recognise individual staff performance linked to pay decisions;

2.2 The Trust Board will also consider advice issued by the Department for Education, recognised trade unions and other national bodies as appropriate, along with relevant statutory legislation.

## 3 JOB ROLES AND RESPONSIBILITIES

3.1 Teaching staff will be provided with a job description outlining the roles and responsibilities of the post. This will also include the pay range and any additional payments or allowances covered by this policy. The job description will state the reason for any additional allowances or payments and whether this is a permanent or temporary payment.

3.2 Any significant changes to duties and responsibilities of a post will be subject to consultation with the member of staff with a view to reaching agreement. Where there is a significant change in duties and responsibilities of a post a new job description will be issued.

3.3 Where the staffing structure of the Trust or any of the individual schools within the Trust needs to be changed, resulting in broader changes to roles and responsibilities, this will be the subject of consultation with staff and the recognised trade unions before any changes are made and with a view to seeking to agree the changes before new job descriptions are issued.

## 4 PAY ASSESSMENT AND REVIEW

4.1 The LLT Board will ensure that every teacher's salary is reviewed on an annual basis with effect from 1<sup>st</sup> September, no later than 31<sup>st</sup> October for Teachers and 31<sup>st</sup> December for the School Head and CEO/Executive Head Teacher.

4.2 The teacher's appraisal report will contain a recommendation on pay. The School Head or Senior Leader appointed by the Head will be responsible for submitting any recommendations for pay progression, in accordance with the relevant sections of this policy, to the individual school's Pay and Staffing Committee for ratification. (Governors will receive anonymised pay progression information).

4.3 All teachers will receive an annual pay statement including details of any salary and financial benefits to which they are entitled, including any salary safeguarding arrangements that may apply. All members of teaching staff of the school will receive a copy of their job description. Any significant changes to job descriptions may require a re-evaluation of the post.

4.4 A review may occur at other times where there has been a significant change affecting an individual teacher's pay. A revised written statement will be issued to the teacher in such circumstances, including any salary safeguarding arrangements that may apply.

## 5 RECRUITMENT

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- 5.1 Advertisements for vacant posts in the school will be considered by the head teacher where appropriate and approved by the CEO/Executive Head teacher. All posts will be advertised either internally or externally, locally or nationally as appropriate.
- 5.2 The advertisement will include the relevant pay band for the post from the range of bands determined by the Lydiate Learning Trust Board as appropriate for the post and as contained in the relevant section of this pay policy. The advertisement will specify the expected level of skills and experience for appropriate candidates relevant to the post. The advertisement will also include details of any additional payments or allowances applicable to the post.
- 5.3 Where an applicant does not meet the criteria for the level of post advertised within the school pay structure but the post would otherwise prove difficult to fill, the Lydiate Learning Trust Board may appoint at a lower level but also consider a recruitment payment in accordance with the school policy set out in section 9.4.
- 5.4 Where the post is on a temporary basis, the advertisement will specify the reason for this and duration of the post.
- 5.5 Within the framework of relevant statutory legislation, the advertisement may also include reference to any underrepresentation within the school to encourage applications from any disadvantaged and underrepresented groups.

## 6 PAY

### 6.1 Teaching Staff Pay

6.1 All teaching staff are employed in accordance with the provisions of the School Teachers' Pay and Conditions Document. In reviewing pay scales in the future the LLT Board will have regard to any changes to national pay bands contained within the STP&C Document. The following pay arrangements have been agreed by the LLT Board using the flexibilities contained within the STP&C Document.

6.1.1 The LLT Board will consider any recommended pay awards agreed nationally and will decide annually on whether or not these should be applied to the pay ranges detailed in this policy. The Trust pay range will be shared at the Autumn JCNC meeting to seek the views of the recognised Trade Unions.

### 6.2 CEO/Executive Head Teacher / School Head

6.2.1 The LLT Board will assign a 7 point Individual School Range based on the school group size, as determined by the School Teachers' Pay and Conditions document. The LLT Board will ensure that there is no overlap of salary bands between the CEO/Executive Head Teacher and individual Trust School Heads and individual Trust School Heads and other leadership posts within the relevant individual Trust school.

6.2.2 The LLT Board will determine the group size for the school in accordance with the provisions of the School Teachers' Pay and Conditions Document. At the time of appointing a new Head the relevant salary point will be reviewed and determined.

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- 6.2.3 On appointment the Head will be appointed on one of the first 4 points on the ISR.
- 6.2.4 Progression on the ISR for the Head will be subject to a review of the head teacher's performance set against the annual appraisal review. The LLT Board may decide to award one increment for sustained high quality performance or two increments where performance has been exceptional. Where performance has not been of a sustained high quality the LLT Board may decide that there should be no pay progression. The pay review for the Head will be completed by 31<sup>st</sup> December annually.
- 6.2.5 The LLT Board will ensure that reasons for setting the ISR at a given level are recorded and that the process for the determination of the Head's salary is fair and transparent.
- 6.2.6 The LLT Board may consider a discretionary payment not exceeding 25% of the Head's salary, as determined above, for reasons not already taken into account in determining the ISR, and which may include:
- the school is a school causing concern;
  - without such additional payment the LLT Board considers that the school would have substantial difficulty filling a vacant Head's post
  - without such additional payment the LLT Board considers the school would have substantial difficulty retaining the existing Head; or
  - the Head teacher is appointed as a temporary Head of one or more additional schools', or;
  - The individual oversees more than one school.
- 6.2.7 In wholly exceptional circumstances the LLT Board may consider a payment in excess of 25%. In such circumstances the LLT Board will seek external independent advice.

## 6.3 Other Leadership Posts

- 6.3.1 The LLT Board will determine a 5 point pay range for all other leadership posts from within the leadership scale contained in the School Teachers' Pay and Conditions Document.
- 6.3.2 The range for individual posts will be determined according to the duties and responsibilities of the post and may vary between posts. A post with a designated deputy role in the absence of the Head will be remunerated accordingly above the range for other leadership posts.
- 6.3.3 The LLT Board will ensure that there is no overlap of pay points between the Head and any other leadership post at the respective school.
- 6.3.4 On appointment a teacher paid on the leadership scale will be appointed on one of the first 3 points on the pay range.
- 6.3.5 The pay range for teachers paid on the leadership spine will be reviewed on 1<sup>st</sup> September each year or at any time during the year where there is a significant permanent change in the duties and responsibilities of the post, or where it is necessary to consider a retention payment for a member of staff on the leadership spine.

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6.3.6 Progression on the pay range for a member of staff paid on the leadership scale will be subject to a review of their performance set against the annual appraisal review. The LLT Board may decide to award one increment for sustained high quality performance or two increments where performance has been exceptional. Where performance has not been of a sustained high quality the LLT Board may decide that there should be no pay progression. The pay review will be completed by 31<sup>st</sup> October.

## 6.4 Lead Practitioners

6.4.1 Trust Lead Practitioners are considered to be part of the Trust Leadership team, as such will be paid in line with determined 5 point pay range (within leadership scale, as above).

## 6.5 Main Scale and Upper Pay Spine Teachers

6.5.1 The LLT Board will establish posts paid in accordance with the minimum and maximum points for such posts as determined by the School Teachers' Pay and Conditions Document.

6.5.2 The LLT Board has established a pay structure for these posts as at September 2021:

- **Main Pay Range**

- **Band 1 (Teacher)**

- Spine Point M1                      £25,714

- Spine Point M2                      £27,600

- Spine Point M3                      £29,664

- **Band 2 (Accomplished Teacher)**

- Spine Point M4                      £31,778

- Spine Point M5                      £34,100

- Spine Point M6                      £36,961

- **Upper Pay Range**

- **Band 3 (Expert Teacher)**

- Spine Point U1                      £38,690

- Spine Point U2                      £40,124

- Spine Point U3                      £41,604

6.5.3 The LLT Board has agreed Career Stage Expectations / Professional Skills Level Descriptors for each band. The pay review will normally be completed by 31<sup>st</sup> October.

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Decisions regarding pay progression will be made with reference in the teacher's appraisal reports and the pay recommendations made by the appraiser. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

To be fair and transparent, assessments of performance will be properly rooted in evidence whilst being proportionate to be able to support robust decisions. In LLT we will ensure fairness. We will minimise the impact on workload for individual teachers, line managers and headteachers throughout the process. Objectives and performance management discussions will not be based on teacher generated data and predictions, or solely on the assessment data for a single group of pupils.

## 6.6 Pay Progression Within Bands

6.6.1 Pay progression within bands will be subject to sustained performance towards the next higher band, and meeting the relevant teacher standards and Career Stage Expectations / Professional Skills Level Descriptors for that band. Where a teacher's performance does not demonstrate a sustained level or is below the school's expectations at that level of post, the governors may determine that no incremental progression will be awarded in that year.

6.6.2 Progression within a pay band will be subject to a review of the teacher's performance set against the annual appraisal review and the Teacher Standards. The LLT Board may decide to award one increment for sustained high quality performance in line with school expectations or two increments where performance has exceeded school expectations. For teachers on the Band 3 (Upper Pay Range) progression will normally be considered for sustained high quality performance or earlier where performance has exceeded school expectations.

Teachers will be eligible for a higher level of increase of 2 points if their performance has been assessed as "outstanding" or "exceptional". This is illustrated by:

- i) the expectations will be that "they exceed all their objectives,
- ii) are assessed as fully meeting the relevant standards, all of their teaching is assessed as outstanding,
- iii) and they show a strong commitment to the school,
- iv) prepared to go above and beyond the call of duty, when necessary,
- v) act as an exemplar for others
- vi) and showing a commitment to improving their own performance and to continuing professional development.

There is however no obligation to increase an individual's pay unless it is warranted by performance. For instance, teachers may be performing satisfactorily, meeting most of their objectives (but not all) and with much of their teaching (but again not all) assessed as good. In such circumstances the school may consider that such a level of performance will result in zero pay progression in that year.

## 6.7 Pay Progression Between Bands

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6.7.1 Progression through the main pay range is not automatic and is based on annual performance. The LLT Board has determined that progression between bands will be sequential and a teacher will not move more than one band, other than in exceptional circumstances where a teacher's level of performance is significantly above that of school expectations and meets the requirements of the higher level band.

6.7.2 The LLT has determined that a teacher appointed to Band 1 (M1 to M3) would, other than in exceptional circumstances, be expected to have progressed to Band 2 (M4 to M6) within a maximum of 2/3 years of taking up their post. In circumstances where a teacher's performance is not at that level this will be addressed through the school's appraisal and possibly capability procedure.

6.7.3 A teacher reaching the top of Band 1 will be required to submit a request to progress to the next band if they meet the criteria for the higher band and are recommended for progression by the appraiser.

## 6.8 Teachers Absent Due to Sickness or Maternity Leave

6.8.1 The school will exercise its discretion to consider performance over a lesser period where a teacher has been absent for some of the relevant period

## 6.9 Accelerated Progression

6.9.1 A teacher may, as part of their annual appraisal meeting, request to be considered for accelerated pay progression either within the pay band or to the next pay band at the end of that review cycle. This will be subject to review of performance against the school's skills level descriptors and may require additional or more challenging objectives to be set for the appraisal period as set out in the school's appraisal policy.

## 6.10 Appointments

6.10.1 Pay Portability. The Trust will recognise the principle of pay portability in making pay determinations for all new appointments. Evidence from previous schools will be required to support.

6.10.2 A teacher transferring roles internally within the school will continue to be paid on a salary commensurate with the role and in accordance with provisions of the School Teachers Pay and Conditions Document.

## 6.11 Application to Move onto the Upper Pay Range (Band 3)

6.11.1 Any qualified teacher may apply to be paid on the upper pay range once a year. It is the responsibility of the teacher to decide whether or not they wish to apply. The cut-off date for applications is 31<sup>st</sup> October.

6.11.2 For an application to be successful the teacher will need to demonstrate that they meet all the teacher standards and the professional skills level descriptors agreed by the LLT Board for teachers on the upper pay range (Band 3). The teacher will also need to demonstrate that they have been working at that level for a significant period of at least 1 term prior to the submission of the application. An upper pay range teacher must have

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demonstrated substantial and sustained performance via 2 successful and consecutive appraisal cycles. A teacher may not progress where concerns have been raised in writing regarding standards of performance.

6.11.3 As defined in the School Teachers' Pay and Conditions Document, a teacher being considered for a move onto the Upper Pay Spine (Band 3) must therefore be able to demonstrate:

- 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.

as exemplified by the school's career stage expectations / professional skills level descriptors.

6.11.4 All applications for progression to the upper pay range (band 3) should be made using the application form set out in Appendix.

6.11.5 An application for progression to the upper pay range (Band 3) will be assessed by the Head of the relevant individual school and presented to Pay Committee for ratification. A decision will be communicated to the teacher in writing within 20 working days.

6.11.6 If unsuccessful the teacher will be provided with feedback by the Head.

6.11.7 Any appeal against the decision, which should be submitted within 10 working days, will be considered in line with the school's pay appeals procedure set out in Appendix 2.

## 6.12 Early Career Teacher Pay Progression

6.12.1 A 2 year induction will have no adverse impact upon early career teachers' pay and career progression opportunities. Early career teachers will still be able to progress on the pay scale both during and after induction.

6.12.2 The LLT Board has determined that a teacher appointed as a "Newly Qualified Teacher" would, other than in exceptional circumstances, be expected to have progressed to the Accomplished Teacher band within 4 years of taking up their post. In circumstances where a teacher's performance is not at that level, this will be addressed through the school's appraisal and possibly capability procedure.

## 6.13 Unqualified Teachers

6.13.1 The LLT Board will appoint unqualified teachers to a salary within the range set out in the School Teachers Pay and Conditions Document.

6.13.2 The LLT Board has determined that this should be a 6 point scale as follows:

Band 1	Spine Point UQ1	£18,419
	Spine Point UQ2	£20,532
Band 2	Spine Point UQ3	£22,644
	Spine Point UQ4	£24,507
	Spine Point UQ5	£26,622 *
	Spine Point UQ6	£28,735 *

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- 6.13.3 These points overlap with Band 1 (Teacher) on the Qualified Teacher scale and therefore the LLT Board will take account of the professional skill level descriptors for those teachers in setting the relevant expectations for an unqualified teacher paid at this level.
- 6.13.4 The LLT Board has agreed to award an unconsolidated payment of £250 per annum to those unqualified teachers paid on the first 3 points of the unqualified scale.
- 6.13.5 A newly appointed unqualified teacher will usually be appointed at the minimum of the scale. This may be reviewed after 6 months, after which time the pay band and relevant pay point will be finalised. The revised salary / pay range will be no lower than the initial salary on appointment.
- 6.13.6 Progression within the range will be subject to a review of the teacher's performance set against the annual appraisal review and the appropriate Teacher Standards. The LLT Board may decide to award one increment for sustained high quality performance or more increments where performance has been exceptional. Where performance has not been of a sustained high quality the LLT Board may decide that there should be no pay progression. In such circumstances where a teacher's performance is not at the required level this will be addressed through the school's appraisal and possibly capability procedure.
- 6.13.7 The pay review will be completed by 31<sup>st</sup> October.
- 6.13.8 Where an unqualified teacher obtains qualified teacher status whilst employed by the school, they will transfer to the relevant pay band for qualified teachers at a salary at least equivalent to the salary they were being paid as an unqualified teacher.

## 7 SUPPLY TEACHERS

- 7.1 Teachers employed on a short notice or supply basis will have their pay determined in line with the arrangements outlined in this policy for other teachers. Teachers paid on a daily basis will have their salary assessed as an annual amount, divided by 195. For temporary teachers on short notice this will be multiplied by the number of days to be worked.
- 7.2 Teachers who work less than a full day will be hourly paid and will have their salary calculated by dividing the annual salary by 1,265 to give an hourly rate.
- 7.3 A short notice teacher who is employed by the school throughout a consecutive period of 12 months will not be paid any more in respect of that period than they would have if they had been in regular employment throughout the period.

## 8 PART TIME TEACHERS

- 8.1 The LLT Board will ensure that part time teachers' pay and working time will be dealt with in accordance with the School Teachers' Pay and Conditions Document. Pay scales and pay progression will be as detailed earlier in this policy.

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8.2 Part time teachers will be entitled to be paid for their contractual hours pro rata to a full time teacher and will also be entitled to PPA time, other non-contact time and directed time allocated on a pro rata basis.

## 9 ALLOWANCES

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

9.1.1 TLR payments will be awarded to the holders of the posts indicated in the school's staffing structure.

9.1.2 TLR payments will be awarded to a teacher on the main scale or upper pay scale where a teacher is required to undertake a sustained additional responsibility within the school's staffing structure for ensuring the continued delivery of high quality teaching and learning for which they are accountable.

I.e. where a post:

- is focused on teaching and learning;
- requires the exercise of a teacher's professional skills and judgment;
- requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- involves leading, developing and enhancing the teaching practice of others.

9.1.3 The LLT Board will award TLR payments within the range prescribed in the School Teacher's Pay and Conditions Document. The LLT Board has determined that TLR payments will be as follows:

**TLR 1** (post includes significant line management responsibility in addition to that outlined in paragraph 9.1.2 above)

TLR 1a £8,291

TLR 1b £10,200 (must be at least £1,500 more than TLR 1a)

TLR 1c £12,112 (must be at least £1,500 more than TLR 1b)

#### **TLR 2**

TLR 2a £2,873

TLR 2b £4,782 (must be at least £1,500 more than TLR 2a)

TLR 2c £7,017 (must be at least £1,500 more than TLR 2b)

9.1.4 A teacher will not be awarded more than one TLR of any value

9.1.5 A TLR payment will not be awarded in respect of teaching duties more appropriately recognised under section 9.2 of this policy in respect of Special Educational Needs.

9.1.6 The LLT Board may award a temporary TLR3 payment of up to £3,000 to a post requiring additional duties for a time limited period for a specific project identified as a priority within the school development plan or other substantial school improvement projects or exceptional one off externally driven responsibilities.

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9.1.7 The value of any temporary TLR3 will be determined within the above range on an individual basis according to complexity and level of responsibility of the role.

9.1.8 The duration of such temporary TLR3 payments would normally not exceed 2 years

9.1.9 There will be no safeguarding of any temporary TLR3 payments.

## 9.2 Honoraria

9.2.1 The LLT Board will not pay any honoraria to any member of the teaching staff for carrying out their professional duties as a teacher, recognising that there is no provision within the STPCD for the payment of bonuses or honoraria in any circumstances.

## 9.3 Special Educational Needs (SEN)

9.3.1 The LLT Board will award a Special Educational Needs Allowance to a classroom teacher in the following circumstances

- in any SEN post that requires a mandatory SEN Qualification;
- who teaches pupils in one or more designated special classes or units in the school;
- in any non-designated setting that is analogous to a designated special class or unit where the post
  - (i) involves a substantial element of working directly with children with special educational needs;
  - (ii) requires the exercise of a teacher's professional skills and judgment in the teaching of children with special educational needs;
  - (iii) 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.

9.3.2 The LLT Board will determine a spot value for each post, taking account of the structure for SEN provision in the school and:

- whether any mandatory qualifications are required for the post;
- the qualifications and expertise of the teacher relevant to the post; **and**
- the relative demands of the post.

9.3.3 The LLT Board has determined that, taking account of the circumstances outlined in paragraph 9.2.2, the value of any SEN allowance will be:

SEN Level 1    £ 2,270

9.3.4 SEN Allowance- An SEN allowance can be awarded to a teacher as per the criteria set out in the STPCD.

## 9.4 Acting Allowances

9.4.1 Teachers who cover all of the duties associated with a post of a higher grade or allowance than their own for a period of at least 4 weeks will receive payment of an acting allowance,

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except in cases where the duties/post are offered, and accepted, as a development opportunity in which case they will not be remunerated in any way. This will normally be the difference between the teacher's substantive salary and the appropriate point on the pay range of the higher level post, or the value of the TLR of the missing postholder, and will cover the whole period of acting up during which the teacher will be expected to undertake the full range of duties and responsibilities of the post.

## 9.5 Recruitment and Retention

9.5.1 The LLT Board may, on the advice of the Head, consider the award of a recruitment and retention payment where there is clearly demonstrated evidence that such a payment is:

- required to attract suitable candidates for a post which it has been or it is considered difficult to fill; or
- required to retain the skills and expertise of a teacher, particularly in a specialist area or where it is considered that the subsequent vacancy would be difficult to fill.
- to recognise a teacher's performance which exceeds the school's expectations and which is not recognised through accelerated salary progression in other sections in this policy.

9.5.2 The value of any recruitment or retention payment will be determined according to the circumstances of each case but will take into account salary relativities across the school structure and known staffing changes in the future and would normally be within the range £500 - £3,000.

9.5.3 The duration of the payment will be determined according to the circumstances of the payment. Initially this may be for a period of 2 years but will be subject to annual review which may extend the period if appropriate.

9.5.4 **DECISION** - Normally a recruitment or retention payment will be financial, but where appropriate, governors may consider other benefits e.g. relocation expenses, health care, sports membership, childcare provision etc.

## 9.6 Continuing Professional Development

9.6.1 The LLT Board, advised by the Head, may consider in advance awarding additional payments to teachers in respect of continuing professional development undertaken outside of the school day. The LLT Board will consider each case on an individual basis. Where approved additional payments will be calculated based on the teacher's normal hourly rate.

## 9.7 Additional responsibilities and activities due to or in respect of the provision of services by the Head relating to the raising of educational standards to one or more additional schools

9.7.1 The LLT Board will make an additional payment where the Head is providing services to other schools and generating income, e.g. as a consultant leader, school improvement partner, local leader for education or national leader of education.

9.7.2 Any payment considered under this section will be temporary only.

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9.7.3 No payment will be considered where these duties have already been taken into account in other sections of this policy

## 9.8 Payment for In Service Teacher Training (INSET)

9.8.1 The LLT Board may consider a payment to teaching staff who undertake voluntary INSET at weekends or during school closure periods.

9.8.2 The LLT Board may consider payment to part time staff who are attending training on a day they do not normally work, or an alternative day off in lieu may be provided.

## 10 SALARY SACRIFICE

10.1 The LLT Board will support salary sacrifice arrangements if the scheme is allowed by HMRC and the cost of administrating the scheme is financially viable.

10.2 Participation in any salary sacrifice scheme arrangement will have no effect upon the determination of any safeguarded sum to which the teacher may be entitled.

## 11 SAFEGUARDING

11.1 The LLT Board will apply the salary safeguarding provisions of the School Teachers Pay and Conditions Document.

11.2 Pay Portability. The Trust will recognise the principle of pay portability in making pay determinations for all new appointments. Evidence from previous schools will be required to support.

## 12 APPEALS

12.1 A member of staff may seek a review of any determination in relation to their pay or any decision taken by the LLT Board (or committee or individual acting with delegated authority) that affects the pay of the member of staff.

12.2 The LLT Board will consider appeals on the following grounds:

That the committee making the decision:

- incorrectly applied any provision of the School Teachers Pay and Conditions Document or other statutory provision;
- 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
- otherwise unlawfully discriminated against the teacher.

12.3 The procedure for considering appeals is set out in Appendix 2 of this policy.

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## 13 DEDUCTIONS FROM PAY

- 13.1 In a case where a member of staff has been paid for work which they have not undertaken e.g. uncertified sickness absence or unapproved leave of absence, the LLT Board may recover the amount from the member of staff.

The member of staff will have the right of appeal through the pay appeals procedure if they are unhappy with the decision.

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## Appendix 1

### PAY & STAFFING COMMITTEE – TERMS OF REFERENCE

**Membership:** The committee shall consist of not less than 3 governors. Individual school committee's will be approved by the LLT Board. Staff, including the Head are disqualified from membership of the Committee.

**Quorum:** The quorum shall be three governors.

**Meetings:** The Committee will meet when necessary and minutes must be taken by a Clerk appointed by the Lydiate Learning Trust Board.

### Terms of Reference

1. To apply the criteria set in the LLT Pay Policy in determining the pay of each member of staff.
2. To review annually the school staffing structure, in accordance with the pay policy and curriculum plan.
3. To review any alterations or amendments to the staffing structure as and when required.
4. To review the school appraisal process
5. To review and agree the Head's recommendations for pay progression.
6. To review the annual staffing report.
7. To review staff attendance.
8. To observe all statutory and regulatory requirements and to ensure all contractual obligations are met.
9. To keep abreast of all relevant updates and to advise the LLT Board of any changes to Trust policies including:
  - Pay Policy
  - Appraisal Policy
  - Staff Development Policy and associated policies e.g. ITT, Induction
  - Staff Leave of Absence Policy
  - Restructure and Redundancy Policy
10. To maintain an overview of total remuneration options for employees as a recruitment / retention / motivation tool to ensure the school is "market facing". Advising the LLT Board of any areas of concern.

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11. To minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body and to the Trust Board as appropriate.
12. 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.

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## Appendix 2

### PAY APPEALS PROCEDURE

The LLT Trust Board has adopted the following procedure to consider any pay appeals and has delegated the responsibility to the Local Governing Body of each school:

#### Stage 1 - Informal

- 1.1 If, following receipt of the written confirmation of the pay determination and where appropriate the basis upon which the decision was made, the member of staff is not satisfied, he / she should seek to resolve this by discussing the matter informally with the decision maker (usually the Headteacher) within 10 working days of the decision.
- 1.2 Where this is not possible, or where the member of staff continues to be dissatisfied with the decision, he / she may follow the formal Stage 2 Appeal process below.

#### Stage 2 - Formal

- 2.1 The member of staff should submit a written appeal, setting out the grounds and the detail upon which the pay decision is appealed. This should be sent to the clerk to governors, within 5 working days of the notification of the decision being appealed against, or the outcome of the informal discussion.
- 2.2 The clerk to governors will arrange a hearing, within 10 working days of receipt of the written appeal, at which the Local Governing Body will consider the appeal and give the staff member an opportunity to make representations in person and / or be accompanied by a work colleague or trade union representative.
- 2.3 Following the hearing the member of staff will be informed in writing of the decision and the right of appeal. Any appeal must be submitted within 5 working days working days from receipt of written confirmation of the decision.
- 2.5 The decision of the appeal panel will be given in writing within 5 working days working days and where the appeal has been rejected this will include a note of the evidence considered and the reasons for the decision.
- 2.6 The decision of the panel will be final. There will be no further right of appeal.

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## Appendix 3

### 1. MOVEMENT TO THE UPPER PAY RANGE

#### 1.1 Applications and Evidence

- 1.1.1 Any qualified teacher, on point 6 of the main pay scale, 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.
- 1.1.2 Applications may be submitted once a year. Where teachers wish to be assessed, they should notify their appraiser in writing. The written application should be submitted by the teacher to the appraiser at the performance management / appraisal planning meeting and no later than 31<sup>st</sup> October. The teacher's application will be appended to their performance management / appraisal planning statement.
- 1.1.3 The evidence to be used should be that available through the performance management / appraisal process but would not be limited to this and will demonstrate the capacity to operate at the level required of UPS practitioners.
- 1.1.4 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.

#### 1.2 The Assessment Criteria

- 1.2.1 An application from a qualified teacher will be successful where the Governing Body is satisfied 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.

The teacher has met the expectations for progression to the Upper Pay Range (Band 3, see previous) where the Upper Pay Range (Band 3) criteria has been satisfied as evidenced by the two most recent, successful and consecutive appraisal reviews.

- 1.2.2 In this school, this means the teacher must satisfy points 1, 2 and 3 below:

1. **Highly competent:** the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working. The teacher can demonstrate performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school, in order to help them meet the relevant standards and develop their teaching practice.
2. **Substantial:** the teacher's achievements and contribution to the school are significant, not just in raising standards of teaching and learning in their own

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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. The teacher plays a critical role in the life of the school, providing a role model for teaching and learning and making a distinctive contribution to the raising of pupil standards. The teacher takes advantage of appropriate opportunities for professional development and uses the outcomes effectively to improve pupils' learning.

3. **Sustained:** the teacher must have evidence of successful, consecutive appraisal reports and have achieved their objectives. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently maintained at a highly competent level for a minimum of 2 consecutive years.

1.2.3 The Head will assess applications, which will include a recommendation to the Pay Committee of the relevant body.

## 1.3 Processes and Procedures

1.3.1 The assessment will be made upon receipt of the application, within (insert number of days (e.g. 20 working days)). If successful, applicants will move to the Upper Pay Range from the previous 1<sup>st</sup> September and will be placed on the minimum of that pay scale.

1.3.2 If unsuccessful, feedback will be provided by the Head and will cover the reasons for the decision and the appeal arrangements available to the teacher.

1.3.3 Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard in line with the procedure at Appendix 2.

1.3.4 Subsequent progression through the Upper Pay Scale will be in line with Paragraph 6.10.

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## Appendix 4

### UPPER PAY RANGE PROGRESSION CRITERIA

Criteria	Evidence of Impact	Reference to Teacher Standards
<b>1. Professional Attributes</b>		
Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation.		
<b>Professional Knowledge and Understanding</b>		
<u>Teaching and Learning</u> 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.		
<u>Assessment and Monitoring</u> 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.		
<u>Assessment and Monitoring</u> Have up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.		
<u>Subjects and Curriculum</u> Have a more developed knowledge and understanding of their subjects / curriculum areas and related pedagogy including how learning progresses within them.		
<u>Health and Well-being</u>		

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Criteria	Evidence of Impact	Reference to Teacher Standards
Have sufficient depth of knowledge and experience to be able to give advice on the development and well-being of children and young people.		
<b>Professional Skills</b>		
<u>Planning</u> 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.		
<u>Teaching</u> 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.		
<u>Team Working and Collaboration</u> Promote collaboration and work effectively as a team member.		
<u>Team Working and Collaboration</u> Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.		
Evidence of how the above criteria has been applied over a sustained period.		
Evidence of good to outstanding judgements for quality of teaching.		

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## Appendix 5

### Upper Pay Range Application Form

#### Teachers Details

Name \_\_\_\_\_

Post \_\_\_\_\_

#### PM/Appraisal Details

Years covered by planning/review statements

Schools covered by planning/review statements

#### Declaration

**I confirm that at the date of this request for assessment to cross the threshold, I meet the eligibility criteria and I submit performance management/appraisal planning and review statements covering the relevant period.**

Applicants signature \_\_\_\_\_

Date \_\_\_\_\_

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## Appendix 6

### ROLES AND RESPONSIBILITIES

The Lydiate Learning Trust Board is responsible for:

- Formal approval of the policy following relevant consultation.
- Appointing 2/3 Governors to review the CEO/Executive Head Teacher's performance / appraisal and ratifying the Trust Head Teacher's performance / appraisal review.
- Setting and approving the Trust's staffing budget for each individual school.
- Ensuring each LGB establishes a pay committee and pay appeals committee with delegated responsibility and authority to implement the pay policy on its behalf.
- To ensure that each school fulfills its obligations to teachers:
  - As set out in the STPCD and conditions of service for school teachers in England and Wales.
  - Ensure that all salaries are reviewed in line with statutory provision

### CEO/Executive Head Teacher's Obligations

The CEO/Executive Head Teacher will:

- Ensure that within each school clear arrangements for linking overall performance to pay progression are established and appropriate consultation with staff and professional bodies takes place in relation to this policy and any associated policies.
- Submit any draft pay policies and any associated policies to the Trust Board for approval.
- Ensure that effective appraisal arrangements are deployed across the Trust and that appraisers are trained accordingly.
- Ensure Heads submit pay recommendations to the relevant LGB and ensure the appropriate body has sufficient information upon which to make pay decisions.
- Ensure that Heads keep all records of staffing decisions and associated pay.

### Governing Body

- Establishing a pay committee and a pay appeals committee with delegated responsibility and authority to implement the pay policy on the Trust's behalf.
- Appointing 2 / 3 Governors (known as the Appointed Governors) to review the Head's performance on an annual basis with the support of the CEO/Executive Head Teacher
- Ensuring that all teachers' salaries (including the Head are reviewed in line with statutory provision).
- Considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy;

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## **Pay Committee**

The governing body has delegated its pay powers to the pay committee. Any person employed to work at the school, other than the Head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The Head 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.

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

The Pay Committee will be attended by the Head in an advisory capacity.

The Pay Committee will operate in accordance with the Terms of Reference at Appendix 1.

## **Head Teacher/ Head of School**

The Head is responsible for:

- ensuring that pay recommendations for the deputy and assistant head teacher(s) and classroom teachers are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

## **Appeals Committee**

The Appeals Committee of the Local School Governing Body is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

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