

<b>Phoenix School Pay Policy</b>
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Date	Review Date	Coordinator	Nominated Governor

**1. INTRODUCTION****1.1 September 2013 Pay Award**

All September 2013 salary determinations relating to salary progression for:

- qualified teachers on the main pay scale;
- qualified teachers on the upper pay scale;
- qualified teachers who were employed as advanced skills teacher (AST) and/or Excellent teacher (ET) on 31 August 2013;
- unqualified teachers on the unqualified pay scale

shall be made in accordance with the provisions of the 2012 Document. The pay tables to be used by employers to apply for the September 2013 pay award are the figures determined by the Secretary of State and set out in the final STPC Document 2013.

1.2 Revised pay progression arrangements under this policy come into force with effect from appraisal targets set in the autumn term 2013. Therefore September 2013 will be the last time that annual pay increments are awarded to teachers based on the length of their service. Thereafter, decisions about teachers' pay progression will be linked to performance, with their first annual performance-related progression pay increases being made in September 2014.

1.3 The Governing Body of the school will operate a Whole School Pay Policy as the 'relevant body', as defined in the School Teachers' Pay and Conditions Document 2013, and for the pay arrangements agreed for all the support staff which will:

- grade posts appropriately within the conditions of employment identified in the current STPC Document and the conditions of service for support staff of the school
- take into account pay relativities between posts within the school
- ensure that the annual appraisal of all teachers, including part time teachers, unqualified teachers, members of the leadership group, and the annual performance review of the head teacher's salary, is fairly and properly conducted as soon as possible and by 31<sup>st</sup> October 2013 at the latest; 31<sup>st</sup> December 2013 for the head teacher.
- Where a pay determination leads or may lead to the start of a period of safeguarding, the governing body will give the required written statement of notification as soon as possible and no later than one month after the date of the determination.
- ensure that discretion available under the STPC Document is exercised in a fair and equitable manner for determining the starting salary for all new teachers, for special education needs allowances, for Teaching and Learning Responsibilities payments,

and for determining the salary ranges for leading practitioners and members of the Leadership Group, including the head teacher.

- give recognition to assigned increased responsibility for Teaching and Learning Responsibilities, whether for a permanent post, temporary projects or acting post basis.
- ensure that an approved evaluation process is used to determine the appropriate salary scale for members of the school support staff.

1.2 This policy statement will be available to the staff of the school.

## 2. DELEGATION OF DECISION MAKING

### 2.1 Head teacher

2.1.1 Except where otherwise stated, the Governing Body, having determined the policy as set out below, will delegate the day to day management of the policy to the head teacher in consultation with the Chair of Governors. The head teacher will report to the Governing Body those occasions when the delegated responsibility has been exercised in respect of the discretionary elements of the current STPC Document and the pay provisions for support staff.

2.1.2 The head teacher, in accordance with this policy, shall make annual recommendations on the salary of all staff to the appropriate committee of Governors.

2.1.3 The Governing Body requires that the head teacher in exercising the delegated responsibilities has appropriate regard to the budget approved by the Governing Body and the requirements of employment legislation, particularly [The Equality Act 2010](#), [The Employment Rights Act 1996](#), [The Employment Relations Act 1999](#) and [The Employment Act 2002](#), as well as [The Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#), [The ACAS Code of Practice \(section 199 of the Trade Union and Labour Relations \(Consolidation\) Act 1992](#), and [The Fixed Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#).

The Governing Body expects the head teacher to seek appropriate advice from persons engaged by the Governing Body to provide such advice.

### 2.2 An appropriate committee structure

2.2.1 The Governing Body will delegate to a committee of governors, hereafter referred to as the "**review committee**", decisions arising out of this policy or the appraisal policy. The number of governors on the committee shall normally be 5 of which at least 3 governors shall sit in rotation. No member of the review appeals committee, referred to below, will be a member of the review committee. No governor who is employed at the school

may be a member of the review committee or the review appeals committee.

2.2.2 The Governing Body will delegate to a committee of governors, hereafter referred to as the '**review appeals committee**', any appeals by individual members of staff against decisions of the committee in 2.2.1 arising out of this policy or the appraisal policy. The number of governors on the committee shall normally be 5 of which at least 3 governors shall sit in rotation. Any appeal will be dealt with before a final decision is reported to the Governing Body.

### 2.3 **Review of decisions**

2.3.1 If an employee, including the head teacher, wishes to have a review of any decision that affects his/her performance review and/or his/her pay s/he shall, within 5 working days of being given the written statement of the assessment, make a written request to the decision maker of the decision about which the employee is seeking a review, for a formal written statement of reasons for the decision which s/he wishes to have reviewed.

2.3.2 The written statement of reason will be provided to the employee within 5 further working days by the decision maker. If, having considered the statement of reason the employee still wishes for a review of the decision s/he shall submit written grounds for seeking a review to the review committee within 5 working days of receipt of the written statement of reasons. The reason for a review will be one or more of the following:-

That the decision -

- incorrectly applied any provision of the appropriate salary and/or appraisal policy;
- in the case of a teacher, failed to have proper regard for statutory provision or guidance of the STPC Document 2013 ;
- failed to take proper account of relevant evidence;
- took account of irrelevant or inaccurate evidence;
- was biased; or
- otherwise unlawfully discriminated against the employee.

2.3.3 The chair of the review committee will, normally within 10 working days of receipt of the written application for a review, make arrangements for the employee to make representations in person to the review committee regarding the reasons for the written application. The employee may be accompanied at that meeting by a workplace colleague or representative of his/her trade union and the review committee may also have an adviser present to advise the committee. The review committee may also ask the head teacher (or in the case of the request for a review coming from the head teacher, the Chair of Governors or a representative of the governors referred to in 2.8.1 below) to be present and to comment on the reasons for the application for the review. The decision of the review committee will be provided to the employee in writing as soon after the review as

possible. The employee will be advised that s/he has the right of appeal against the review decision.

2.3.4 The procedure to be followed for the review hearing is attached at Annex 1 of this policy.

## 2.4 **Appeals Against Salary or Appraisal Decisions**

If the employee decides to appeal against the reviewed determination as defined in 2.3 above then the employee shall, within 5 days of receipt of the reviewed determination, notify the Clerk to the Governors in writing of the appeal and the reasons for it. The Clerk to the Governors will arrange, normally within 20 working days of the receipt of the written notice of appeal, giving at least 5 working days notice, a meeting of the appeals committee of the governing body. The employee will be entitled to attend and the procedure to be followed for the appeal is attached at Annex 2 of this policy. The decision of the appeal committee delegated to deal with appeals shall be final. Once any appeal has been resolved the final decisions regarding the assessment of salaries or performance management of staff shall be reported to the Governing Body.

## 2.5 **Threshold Application**

2.5.1 From September 2014 any qualified teacher who has made substantial progress towards the maximum of the main classroom teachers' scale may apply to the Headteacher to be paid on the upper pay range.

An application must be made by the Friday of the first week of the Autumn Term.

A successful applicant will progress to a point UPS1 on the Upper Pay Spine determined by the head teacher from 1 September of the year of application.

A successful applicant will have demonstrated:-

- that as a teacher s/he is highly competent in all elements of the relevant standards; and
- that his/her achievements and contributions to the school are substantial and sustained

(See Annex 3 for the school's definition of "highly competent" and "substantial and sustained".)

2.5.2 Also for this year, i.e. September 2013, a teacher who was first on point 6 of the main scale on 1<sup>st</sup> September 2012 may apply to the Governing Body through the head teacher to go through the threshold and to be paid on the upper pay spine from September 2013. The application should be made in writing to the head teacher by Friday of the first week of the Autumn Term.

2.5.3 The head teacher shall inform the review committee of the outcome of the threshold application as soon as possible after the closing date has passed and inform the teacher of the outcome within 20 working days following the decision provided to the review committee. The teacher shall be given a salary assessment form indicating his/her salary position following the outcome of the application. The head teacher shall provide oral feedback on the relevant criteria indicated, or in the case of unsuccessful application, in writing on the original application form. Feedback shall also include advice on aspects of performance that would benefit from further development.

2.5.4 Any decision regarding successful placement on the upper pay range will only apply to posts in this school.

## **2.6 Reviews and Appeals against any Threshold Application Decision**

2.6.1 A teacher may seek a formal review of the decision by the head teacher by submitting a request in writing together with reasons for a review as identified in clause 2.3 of this policy. The head teacher will make arrangements, normally within 10 working dates of the written application for a review, to meet with the employee who may be accompanied by a workplace colleague or representative of his/her trade union. The outcome of the review shall be provided in writing together with notification of the right of appeal.

2.6.2 If the employee decides to exercise his/her right to have the Threshold determination reviewed or to appeal against the determination it shall be in accordance with clause 2.4 of this policy and the reasons for review in 2.3 of this policy.

## **2.7 The Chair of Governors**

2.7.1 The Chair of Governors will be available to the head teacher for consultation on those matters of this policy delegated to the head teacher. In this instance the Chair of Governors may not be a member of review or appeals panels.

## **2.8 The Appraisal Review Governors for the Head teacher's Performance Review**

2.8.1 The Governing Body will delegate 3 governors, none of whom shall be employees of the school, to carry out the appraisal review for the head teacher as set out in this policy and the school's appraisal policy. The delegated governors will be advised by an external adviser appointed by the school. The agreed performance objectives and indicators/measures will/may be referred for moderation to a meeting of a moderation committee/ the chair of governors.

- 2.8.2 It is the stated wish of the Governing Body that the delegated governors shall avail themselves of appropriate training.

### **3. EXERCISE OF DISCRETION UNDER THE STPC DOCUMENT**

#### **3.1 Starting salary of new classroom teacher appointments.**

- 3.1.1 When advertising a teaching post the school will identify the range of salaries the school is prepared to pay subject to qualifications and experience. The school will not normally agree to match the salary on which the applicant is/was paid in his/her last school without first considering the merits of the application and its relationship to the salary of teachers employed at the school.

Where the head teacher or selection panel regards a teacher has relevant teaching experience, or non-teaching experience which is directly relevant to the post being offered then an appropriate salary will be offered within the advertised range.

- 3.1.2 The head teacher will provide a statement for the appropriate committee of governors of the reasons for which the salary has been awarded together with the position on the appropriate scale in the school's salary structure.

#### **3.2 Calculation of Part Time Teachers' salaries**

- 3.2.1 The Governing Body will ensure that all part time teachers employed in the school will have their salaries calculated in accordance with the STPC Document and the "pro rata principle".
- 3.2.2 The Governing Body will ensure that the total amount of time for which a part time teacher may be directed by the head teacher is calculated in accordance with the STPC Document and the "pro rata principle".
- 3.2.3 All part time teachers will be advised of the way in which their salary and directed time are calculated.

#### **3.3 Recruitment/Retention Incentives**

- 3.3.1 The Governing Body will have a policy with regard to any payment of recruitment/retention incentives or benefits in accordance with paragraph 47 of the STPC Document 2013.
- 3.3.2 The policy adopted by the Governing Body will be made known to the staff and set out as Annex 4 to this policy.

#### **3.4 Staffing Structure**

3.4.1 The head teacher will annually recommend to the Governing Body a staffing structure for the school that:

- takes account of any financial limits determined by the Governing Body;
- identifies the posts to which allowances will be allocated for Teaching and Learning Responsibilities (TLR) in accordance with the requirements of the STPC Document, on a permanent basis;
- will determine the value of any TLR post that is to be paid for a short term period. A statement identifying a payment within the range for TLR3, the length of time for which it will be paid, and the reason for the short term payment will be provided to the appropriate committee of the Governing Body.
- identifies the level of allowance to be allocated to each permanent TLR post in the attached staffing structure in accordance with the STPC Document;
- identifies the level of salary to be allocated to any leading practitioner posts together with the salary ranges to be assigned to each post
- identifies posts to be paid on the Leadership Group pay scale together with the salary ranges assigned to each post
- identifies any post to which a salary from the Special Educational Needs range of salaries will be allocated together with the level of each allowance to be paid
- identifies the staffing structure for support staff posts together with the evaluated salary scale assigned to each post

The staffing structure approved by the Governing Body shall be published with this pay policy

3.4.2 In the event that the recommendation contains significant changes in the staffing structure the recognised trade unions will be informed and consulted before the final salary structure is published.

### **3.5 Special Educational Needs**

3.5.1 The Governing Body will award an allowance to any teacher who satisfies the statutory requirement of the STPC Document 2013, paragraph 27 .

3.5.2 The post and allowance(s) will be identified in the staffing structure and will be spot salaries selected from the SEN range. The value of allowances should be based on whether any mandatory qualifications are required, other qualifications and expertise relevant for the post and the relative demands of the post.

3.6 **Awards for performance progression to teachers paid on the main pay scale, the upper pay scale or unqualified teachers' pay scale**

## Phoenix School

*(There will be no further annual increments paid to teachers after 1<sup>st</sup> September 2013. After that date pay progression will be linked to assessment of performance).*

- 3.6.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider written recommendations from the head teacher that a teacher be paid a higher salary on the main classroom teachers' pay spine for the school, or the upper pay spine, depending on which scale the teacher is currently paid. The head teacher will also provide written reasons why any teacher should not progress on either scale.
- 3.6.2 Any recommendations for progression to a higher salary made by the head teacher shall be in respect of the excellence of the teacher's performance during the previous year across all aspects of the teacher's professional duties as measured against the Teachers' Standards, and also having regard to his/her performance review under the school's Appraisal policy with particular reference to the achievement of objectives and classroom performance. In the case of teachers beyond the threshold the Head will also have regard to the teacher's overall contribution to the school.
- 3.6.3 Before the head teacher decides whether or not to make a written recommendation to the review committee, the Governing Body will expect that the head teacher will have had due regard to the appropriate level of performance expected of a teacher against the school's criteria for the relevant level of the Teachers' Standards according to the salary scale on which the teacher is paid. The school's criteria for determining whether or not a teacher shall progress are set out in Annex 5 of this policy together with the salary points on the Main and Upper Pay scales adopted by the school and shall be made available to all teachers on the main classroom teacher pay scale and the upper pay spine.
- 3.6.4 Recommendations for increases in pay will be differentiated such that the amount of any increase is clearly attributable to the performance of the teacher in question. Continued good performance over a number of years should give a classroom teacher a reasonable expectation of progressing to the top of the appropriate pay range.
- 3.6.5 A teacher on the main classroom teachers' pay scale whose performance meets the criteria set out in Annex 5 could reasonably expect to reach the maximum of the scale in about five years. The Head may recommend that there will be no progression on the scale in a given year where the performance of the teacher does not warrant progression. A newly qualified teacher who achieves the required standards at the end of his/her induction will normally progress to the second point on the main classroom teachers' scale.

- 3.6.6 Where a teacher has been absent through long term illness or on maternity leave the head teacher will ensure that the requirements of the STPC Document are complied with by ensuring that a performance review has been conducted. In the event that a review cannot be conducted until the teacher returns to school the head teacher will conduct a review at such time following the teacher's return to school to enable a proper and reasonable assessment to be made and in the event that the head teacher's recommendation is to pay the teacher on a higher salary on the appropriate pay spine the award may be back dated to the appropriate date on which the award would normally have been paid.

#### **4. LEADING PRACTITIONER POSTS**

- 4.1 The Governing Body may decide to include a leading practitioner post or posts in the staffing structure where it receives a recommendation from the head teacher to consider such a post. The leading practitioner post must comply with the requirements of the STPC Document.
- 4.2 Where a leading practitioner is appointed the Governing Body shall select a point range of salaries from the range designated for leading practitioners. A newly appointed leading practitioner shall be appointed to the minimum of the chosen range.
- 4.3 The primary purpose of a leading practitioner post is for the modelling and leading improvement of teaching skills. In addition the leading practitioner will take a leading role in developing, implementing and evaluating policies and practice that will contribute to school improvement. Performance objectives will be set with the leading practitioner and performance reviewed against those objectives in accordance with the school's Appraisal policy.
- 4.4 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider recommendations from the head teacher that any leading practitioner be paid a higher salary subject to the maximum of the individual range. The criteria on which such a recommendation will be based is set out in Annex 6 of this policy.

#### **5. THE LEADERSHIP GROUP**

##### **5.1 Deputy and Assistant Head teachers**

- 5.1.1 The Governing Body, following consideration of the relevant criteria set out in the STPC Document, will determine the individual range for a newly appointed deputy head teacher or assistant head teacher's salary.

5.1.2 At the time of appointing a new deputy head teacher or assistant head teacher the selection panel of the Governing Body making the new appointment shall determine the salary point on the individual range to be paid. The point to which the teacher is appointed on the individual range shall not exceed the third point. The selection panel shall have regard to advice available from persons engaged by the Governing Body.

## **5.2 Awards for performance to deputy and assistant heads**

5.2.1 At the time of the annual assessment of teachers' salaries referred to in paragraph 6 of this policy, the review committee will consider recommendations from the head teacher that any deputy or assistant head teacher be paid up to two additional points subject to the maximum of the individual range. The Governing Body expects that the objectives which were set for a deputy or assistant head teacher under the appraisal policy will have become progressively more challenging as the teacher has gained experience in his/her current role.

5.2.2 Where it considers it has substantial difficulties in retaining the services of a current deputy or assistant head teacher the Governing Body may decide to change the salary range of a deputy or assistant head teacher in accordance with the STPC Document in order to retain his/her services. The deputy or assistant head teacher's range cannot encroach on the head teacher's ISR and the assistant head teacher's range must have a minimum at least one point below the minimum of the deputy head teacher range. The deputy or assistant head teacher's salary cannot be placed on the new range, except at the minimum point, until the September following the determination of a changed range.

## **6. ANNUAL ASSESSMENT OF THE SALARY OF TEACHERS**

### **6.1 Annual assessments**

6.1.1 On or before 1<sup>st</sup> September of each year, or as soon as possible thereafter, the head teacher will carry out an annual assessment of salary for each teacher, including deputy and assistant head teachers, leading practitioners and unqualified teachers employed in the school. Each teacher will be informed in writing of the recommended salary for the September of the new academic year including any increased salary, having regard to the annual performance review conducted in accordance with the school's appraisal policy and this policy. The head teacher will inform each teacher of the proposed salary before making the recommendation to the review committee. Any written comment from the teacher will be presented to the review

committee when the recommendation of the head teacher is presented.

- 6.1.2 When the review committee has considered the recommendations from the head teacher for all teachers employed at the school and any comment from any individual teacher, its decision will be provided in writing, by 31<sup>st</sup> October at the latest, to each teacher on the appropriate teacher salary assessment form. The salary assessment form will give information on each relevant aspect of the teacher's salary on which the Governing Body has discretion under this policy. All salary decisions will have been completed by 31<sup>st</sup> October at the latest to be backdated to the 1<sup>st</sup> September.

## **7. DETERMINATION OF LEADERSHIP GROUP SALARIES**

### **7.1 Group of the School; Individual School Range (ISR) and salary ranges for other members of the leadership group**

- 7.1.1 For the purposes of determining the group of the school by which the ISR for the head teacher is identified, the Governing Body will re-calculate annually the appropriate unit total of the school.
- 7.1.2 The Governing Body will assign the school to the appropriate Head Teacher Group (HTG) whenever a new head teacher is to be appointed and on such occasions as the Governing Body sees fit. The head teacher may make representations to the review committee to consider assigning the school to a new HTG. The school must be assigned to its appropriate group not more than three years after the school was last assigned to a head teacher group.
- 7.1.3 If the Governing Body sees fit to change the group of the school having re-calculated the unit total of the school in accordance with the STPC Document and the school is entitled to be in a HTG, the Governors will identify an ISR which will ensure that the minimum of the ISR is not below the minimum of the salary range for the HTG.
- 7.1.4 When a new head teacher is appointed, when the HTG is changed as in 7.1.3 above, or when a deputy or assistant head teacher range is set which equals or exceeds the minimum of the current ISR the Governing Body, in accordance with the STPC Document, will re-determine an ISR on which the head teacher's salary will be paid, according to the size and circumstances of the school. The ISR of the school shall be a range of 7 consecutive salary points within the HTG range for the school.
- 7.1.5 The selection committee, set up to appoint a new head teacher, shall determine the salary point on the ISR to be paid. A newly appointed head teacher may not be appointed at a point higher

than the fourth point on the ISR. The selection panel shall have regard to advice available from persons engaged by the Governing Body.

- 7.1.6 In the event that the Governing Body agrees to the school's head teacher also being made the head teacher of another school on a permanent basis, the head teacher's salary will be determined in accordance with STPC Document 2013 (paragraph 11.2.4).
- 7.1.7 Where such a decision is made then the Governing Body will also review the salary ranges of any other teachers affected by the arrangement by increased responsibilities. Where such arrangements are temporary the safeguarding provisions will not apply.
- 7.1.8 The salary ranges for a deputy or assistant head teacher shall be determined with reference to the school's ISR and the highest paid classroom teacher as defined by the STPC Document.

## **7.2 Annual Review of head teacher's salary**

- 7.2.1 At the beginning of each academic year, or at any such time as the Governing Body, in consultation with the head teacher may decide, the reviewer governors referred to in 2.8 will agree with the head teacher, or, in the absence of agreement, set performance objectives together with performance indicators/measures appropriate to each objective. The performance objectives will reflect priorities identified in the school's development plan.
- 7.2.2 An external adviser appointed by the school will support the reviewer governors in carrying out the annual performance review of the head teacher. The performance review and review statement will be conducted in accordance with the school's Appraisal policy.
- 7.2.3 In the autumn term of each year, (or where determined differently by the Governing Body as referred to in 7.2.1 above, in the half term immediately prior to the anniversary of the setting of the performance criteria), the review committee will receive recommendations from the reviewer governors (having consulted the Chair of Governors, if s/he is not a reviewer governor) about the salary of the head teacher. The recommendation shall reflect the reviewer governors' views based on the outcomes of the annual performance review and the Chair of Governor's view of the head teacher's overall performance during the year. Any recommendation for movement up the ISR, on which the head teacher is currently paid, may be by up to two points in any one annual review. The

head teacher will be advised of the proposed recommendation and may make a written response to the recommendation.

7.2.4 The recommendation for the head teacher will be made in a written statement to the review committee, giving reasons for the recommendation and the level of salary that it is recommended should be paid from 1st September. This will either be at the current point on the ISR or up to two points higher subject to the maximum of the ISR. The review committee will consider the recommendation together with any written response from the head teacher to the recommendation and make its decision known to the head teacher in writing on the salary assessment form by 31<sup>st</sup> December at the latest, to be backdated to 1<sup>st</sup> September. The head teacher will not be entitled to attend the meeting of the review committee.

7.2.5 If the head teacher wishes to seek a review of the decision of the review committee regarding his/her pay, s/he may do so in accordance with the procedure set out in paragraph 2.3 of this policy. The head teacher will have right of appeal against the decision of the review committee in accordance with the procedure set out in paragraph 2.4 of this policy.

### **7.3 Determination of Discretionary payments to head teachers (This paragraph to apply to any decision made after 1<sup>st</sup> September 2011)**

7.3.1 The Governing Body may decide to pay additional payments to the head teacher in accordance with paragraphs 11.4 to 11.6 of the STPC Document 2013.

7.3.2 Where a decision is made to increase the head teacher's salary beyond the maximum of the appropriate HTG determined in accordance with paragraph 7.1 above, the total sum of all payments made to the head teacher referred to in 7.3.1 will not exceed 25 per cent of the previous salary being paid on the current point on the ISR.

7.3.3 In the event that it is considered there are wholly exceptional circumstances which make it necessary to exceed the provision set out in 7.3.2 above then the Governing Body will take external independent advice in accordance with paragraph 11.6.2 of the STPC Document 2013 before agreeing to such a decision.

### **7.4 Acting allowances for an acting head teacher, acting deputy head teacher, acting assistant head teacher or a teacher acting up in a TLR post**

7.4.1 In the prolonged absence of the head teacher, a deputy head teacher, an assistant head teacher or a TLR post holder, the Governing Body may appoint a teacher to act up during the absence of the post holder. From the date that the Governing

Body considers it necessary to make an acting appointment, the Governing Body will pay an allowance equal to the difference between the salary currently paid to the person appointed to act up and a point considered appropriate by the Governing Body on the ISR for the head teacher or the range of salaries for the deputy or assistant head teacher or the level of TLR in question. The STPC conditions of employment for a head teacher, deputy or assistant head teacher will also apply to any person in receipt of such an acting allowance.

7.4.2 If, during any absence of the head teacher, deputy or assistant head teacher or a TLR post holder, the acting appointment is made and maintained for a period then the Governing Body will consider within four weeks of the acting appointment whether or not the teacher shall be paid an acting allowance calculated in accordance with 7.4.1 above. If no allowance is paid the Governing Body may reconsider the position at any time.

## **8. ADDITIONAL PAYMENTS FOR TEACHING STAFF**

- 8.1 In the event that the head teacher, following consultation with the teacher(s) affected, or the Chair of Governors following consultation with the head teacher, decides to request teachers or head teacher to undertake
- CPD undertaken outside of the school day
  - Activities relating to the provision of ITT as part of the ordinary conduct of the school day, or
  - Out of school hours learning activities,
- then payments as below will be made to teachers/head teacher agreeing to participate in such activities.
- 8.2 The daily rate payable to each individual teacher/head teacher undertaking such CPD or ITT activities and entitled to such a payment will be determined by the governing body. Periods of less than a day will be paid pro rata.
- 8.3 Where additional responsibilities and activities are undertaken by a teacher resulting from the head teacher having responsibility for more than one school, as provided for in paragraph 7.1.7 of this policy, the salary review committee of the governing body will review the teacher's salary to reflect the additional responsibilities and activities. The decision of the review committee will be reported to the next meeting of the governing body.

## **9. UNQUALIFIED TEACHERS**

- 9.1 The Governing Body may employ unqualified teachers/instructors in the school. Such unqualified teachers will be paid in accordance with paragraph 19 of the STPC Document 2013.

- 9.2 The point on the school's unqualified teacher scale, within the maximum and minimum of the range as set out in paragraph 19 of the STPC Document, at which a new appointment will be paid, will be determined by the head teacher, in consultation with the Chair of Governors, and will take account of the qualifications and experience considered to be relevant to the post to which the person is appointed.
- 9.3 In addition to the appropriate point on the unqualified teachers' pay spine the head teacher, in consultation with the Chair of Governors, may award an additional annual allowance in accordance with paragraph 28 of the STPC Document 2013 to a person appointed as an unqualified teacher who either takes on a sustained additional responsibility or who s/he believes has additional qualifications and/or experience to warrant such an award.

The head teacher will report any award of such an allowance to the appropriate committee of the Governing Body.

- 9.4 The same arrangements for salary progression for teachers will also apply to unqualified teachers.
- 9.5 The same safeguarding arrangements will apply to an unqualified teacher as to other teachers, i.e. if as a result of changes to the STPC Document, the school's pay policy or staffing structure of the school an unqualified teacher would be paid a lower salary his/her salary will be protected for a period up to 3 years from the date of the change subject to the provisions of the STPC Document.

## **10. SALARIES OF SUPPORT STAFF**

- 10.1 On appointing a member of the support staff the job description determined for the post to which the employee is to be appointed will be evaluated in accordance with an approved scheme. Advice will be sought from persons engaged by the Governing Body to advise on an approved evaluation process.
- 10.2 The head teacher, in consultation with the Chair of Governors, will determine the appropriate point on the evaluated scale having regard to
- i) relevant qualifications and/or competencies
  - ii) recruitment/retention needs of the school in respect of the post

The decision of the head teacher will be reported to the review committee.

- 10.3 If at any time the head teacher, in consultation with the Chair of Governors, considers that a member of the support staff is being asked to undertake, or has undertaken, increased or decreased responsibilities on a permanent basis, s/he shall refer the job description of the post, with the new responsibilities, to be evaluated. If

the evaluation provides for a higher salary that salary will be paid to the post holder from a date determined by the head teacher and, in the case of a temporary increase in responsibility, the date to which the new salary will be paid. In the event that the evaluation provides for a lower salary the employee will be entitled to salary safeguarding for a period in accordance with (the school's policy) or (Local Authority's policy *for community schools*). The new salary level will be reported to the review committee at its next meeting.

- 10.4 At the time of making the annual assessment of the teachers' salaries the head teacher may also make any recommendation to the review committee in respect of the salary of any member of the support staff. Where the head teacher considers it appropriate s/he may recommend to the review committee that a named member(s) of the support staff shall be awarded an honorarium for the excellence of his/her performance during the previous year. The honorarium may either be paid as a lump sum payment at the next salary payment after the appropriate committee's decision, or as a 1/12 increase in monthly salary over the next year.
- 10.5 If any member of the support staff wishes to appeal against his/her salary level s/he may ask for a re-evaluation of the job description of the post to be undertaken. In the event that a member of the support staff decides to appeal against a decision of the review committee under paragraph 2.4 above, then s/he shall enter a formal written statement of appeal. The appeal shall be heard by the review appeal committee referred to in paragraph 2.2.2 above.

## **11. SALARY SACRIFICE SCHEME\***

- 11.1 The Governing Body will support and encourage any salary sacrifice scheme as identified in the STPC Document and made available by the school (or the Local Authority *in the case of maintained schools*), from which teachers or support staff employed in the school benefit where there is no additional cost to the school budget.\*

## **12. REVIEW OF THE POLICY**

- 12.1 The Governing Body will review this policy annually or on any occasion when it is requested to do so by the head teacher.
- 12.2 The Governing Body will consult with the staff and the recognised trade unions at the time of the annual or any other review of the policy.

**ANNEX 1**

**PROCEDURE FOR A REVIEW OF A SALARY DETERMINATION OR A PERFORMANCE MANAGEMENT DECISION BY THE REVIEW COMMITTEE OF THE GOVERNING BODY**

**1. Case for the employee**

The employee or representative:

- a) presents the employee's written application for the review.
- b) the members of the review committee may ask questions of the employee

**2. The Chair of the Review Committee:**

- a) explains the process and evidence used to come to the decision under review with reference to the written statement of reasons for the decision of the review committee previously provided to the employee.
- b) If the review committee has asked the head teacher (or a governor as referred to in Note 3 below) to be present at the hearing the head teacher (or governor) may be asked questions by the members of the review committee, and the employee or representative.

**3. Summing up and withdrawal**

- a) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- b) all persons other than the members of the review committee and the adviser (See Note 5 below), are then required to withdraw.

**4. Review Committee decision**

- a) The review committee and the person who is advising, if other than the head teacher or a governor, are to deliberate in private, only recalling other persons to clear points of uncertainty on evidence already given. Any recall will involve all persons involved in the earlier hearing.
- b) The chair of the review committee will announce the decision of the review to the employee, which will be confirmed in writing within 5 working days.

Notes: 1. *For the purposes of the review, the human resources committee and the employee will have the following documents:-*  
➤ *the written statement of reasons for the decision of the review committee previously provided to the employee*

### **Phoenix School**

- *the written statement of reasons for the application for the review from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
  - *any additional documents to be used at the review hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
2. *For the purposes of the review, the review committee may ask the head teacher (or in accordance with note 3 below, a governor) to be present. In that event the head teacher(or governor) may also be asked questions by the members of the review committee and by the employee or his/her representative. The head teacher (or governor) may not be involved in the decision of the review committee.*
  3. *Where the head teacher has asked for the review the review committee may ask the Chair of Governors or a representative of the governors referred to in 2.8.1 above to be present.*
  4. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
  5. *The review committee may have an adviser present to advise on fact and the law.*
  6. *The review is not an appeal against the decision.*
  7. *Where a teacher is seeking a review against a determination of the Threshold Application or an appraisal decision of the head teacher, the same procedure will be used with the head teacher taking the role of the review committee. The head teacher may have an adviser present to advise on the law, procedure and merits of the case, who may not be an employee of the school.*

## **ANNEX 2**

### **PROCEDURE FOR AN APPEAL AGAINST A SALARY OR PERFORMANCE MANAGEMENT DETERMINATION TO THE REVIEW APPEAL COMMITTEE OF THE GOVERNING BODY**

#### **The Appeal of the employee**

The employee or representative,

- a) introduces the employee's written reasons for the appeal and the representative of the review committee and then members of the Appeal Committee may ask questions of the employee
- b) may call witnesses, each of whom will have provided a written statement of the information s/he wishes to give, and each witness may be asked questions by the representative of the review committee and then by the Review Appeal Committee

#### **The response of the review committee**

The representative of the review committee

- a) explains the process and evidence used to come to the decision being appealed with reference to the written statement of reasons for the decision of the review committee

## **Phoenix School**

previously provided to the employee, and the employee or representative and then members of the Review Appeal Committee may ask questions of the representative of the review committee.

- b) may call witnesses, who will have provided a written statement of the information they wish to give, and each witness may be asked questions by the employee or his/her representative and then by the Appeal Committee

### **3. Summing up and withdrawal**

- a) the representative of the review committee has the opportunity to sum up if s/he so wishes.
- b) the employee, or representative, has the opportunity to sum up his/her case if s/he so wishes.
- c) all persons other than the Review Appeal Committee and its adviser are then required to withdraw.

### **4. Review Appeal Committee decision**

- a) the Review Appeal Committee and the person who is advising on law, procedure, and merits of the case (See Note 4 below) are to deliberate in private, only recalling the parties to clear points of uncertainty on evidence already given. Any recall must involve both parties
- b) the Chair of the Review Appeal Committee will announce the decision to the employee, which will be confirmed in writing

- Notes:
1. *For the purposes of the appeal, the Review Appeal Committee will have the following documents;-*
    - *the written statement of reasons for the review committee decision previously provided to the employee*
    - *the written statement of reasons for the appeal from the employee. (The grounds for the appeal must comply with paragraph 2.3.2 of the pay policy).*
    - *any additional documents to be used at the appeal hearing which must be provided to the other party at least 48 hours before the commencement of the hearing.*
  2. *For the purposes of the appeal, the review committee representative may call the head teacher (or in accordance with note 3 below, a governor) as a witness for the review committee. In that event the head teacher (or governor) may be questioned as a witness.*
  3. *Where the head teacher has asked for the review the representative of the review committee may call the Chair of Governors and/or one of the governors referred to in paragraph 2.8.1 of the policy above as a witness.*
  4. *The Appeal Committee may appoint an adviser to advise on the law, procedure, and merits of the case who may not be an employee of the school.*
  5. *The employee may be represented by a representative of his/her trade union or a workplace colleague.*
  6. *Where a teacher is appealing against a determination of the Threshold Application or an appraisal decision the same procedure will be used with the head teacher taking the role of the representative of the review committee. The head teacher*

## **Phoenix School**

may have an adviser present, as in Note 4 above, who may not be an employee of the school.

### **ANNEX 3**

#### **ACCESS TO THE TEACHERS UPPER PAY RANGE**

From September 2014 any qualified teacher (who has made substantial progress towards the maximum of the main classroom teachers' scale may apply to the Headteacher to be paid on the Upper Pay Range. An application may only be made once in an Academic year and must be made before the first Friday at the start of the Autumn term. Phoenix School will not be bound by pay decisions made by other schools.

The method of application shall be the completion of Threshold Application form which shall be supported by two previous, successful performance appraisal reviews from the last two academic years. The Headteacher will assess the application and report the outcome to the Personnel Committee. The Headteacher will advise the applicant of the outcome of their application within 20 working days following the ratification of the decision by the Personnel Committee.

All successful applicants will be placed on UPS1 with effect from 1<sup>st</sup> September in the year of the application. Payment of post threshold salary will be made in the first payroll to be processed following the confirmation of award. Payment will be backdated to the effective date.

A successful applicant will have demonstrated:

- That as a teacher s/he is highly competent in all elements of the relevant standards; and
- That his/her achievements and contributions to the school are substantial and sustained

For the purpose of this pay policy:

- **Highly competent** means performance which is not only good but is good enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice. It means they will be making a wider contribution to the work of the school in order to help them meet the relevant standards and develop their teaching practice. It means they are able to meet the expectations of the role and prepared to meet the expectations of those on the Upper Pay Scale.
- **Substantial** means of real importance, validity and value to the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning and achievement.
- **Sustained** means maintained continuously over a period of 2 years.

**Phoenix School**

I wish to apply to make an application to cross the threshold to access the Upper Pay Scale. I understand that the decision on my progression will be based on my performance against the 3 areas of Post Threshold Criteria as determined in the school's pay policy, and also taking into account my 2 most recent Performance Appraisal Reviews.

I have provided a summary of evidence from my teaching practice below that I believe demonstrates how I have met the threshold criteria.

Name

Signature

Date

1. Professional Attributes

2. Professional knowledge and understanding

3. Professional Skills

## **ANNEX 4**

### **ALL STAFF: RECRUITMENT AND RETENTION ALLOWANCES OR BENEFITS**

This annex identifies the circumstances under which the school will pay allowances and/or benefits for the purposes of recruiting and retaining teachers. Recruitment or Retention allowances will be considered as a method of attracting or retaining outstanding teachers and support staff where the school would be adversely affected by not recruiting or retaining them. Recruitment and retention allowances will be pensionable payments. On expiry of a recruitment allowance it may be replaced by a retention allowance. Decisions on recruitment allowances or retention allowances will be made by the Headteacher following consultation with the Chair of Governors, or in their absence Vice Chair of Governors.

Prior to consultation the Headteacher will set out:

1. The reasons why the post should attract a recruitment or retention allowance with reference to other allowances awarded and any available recruitment or retention information.
2. The start and end dates of the allowance
3. The amount of the allowance and its percentage of substantive salary which will not exceed (10%)

The decision to award a recruitment or retention allowance will be communicated to the employee in writing stating the start date and end date, the amount and whether it is recruitment or a retention allowance. The decision to award a recruitment or retention allowance will be reported to the Personnel Committee.

## **ANNEX 5**

### **PROGRESSION ON THE MAIN AND UPPER PAY SCALES FOR QUALIFIED TEACHERS AND THE UNQUALIFIED TEACHERS SCALE**

This annex, referred to in paragraph 3.6 of the Pay Policy sets out the school's policy regarding Progression on the Main and Upper Pay scales and on the unqualified teachers' scale.

Main	Upper	Unqualified
M1	UPS1	1
M2	UPS2	2
M3	UPS3	3
M4		4
M5		5
M6		6

## ***Phoenix School***

Teachers on the Main, Upper and Unqualified teachers' pay scales will have their salary reviewed annually in accordance with paragraph 6 of the Pay Policy. To move up the Main pay scale or the unqualified teachers' pay scale one point at a time teachers will need to have made good progress towards their objectives, have shown they are competent in all elements of the Teachers Standards and teaching should be as follows in line with guidance against the Teacher Standards, attached at end of policy. Unqualified Teachers will be expected to meet same standards as M1- M6 teachers.

The following criteria will be taken into account in making a judgment

1. Impact on pupil progress (see guidance against teacher standards grid annex 7)
2. Outcome of lesson observations (see guidance against teacher standards grid annex 7)
3. Appraisal targets and how successfully these have been met
4. Competency in all elements of the Teachers Standards
5. Contributions to whole school development
6. Wider outcomes for pupils and colleagues

Taking into account all of the criteria and any external factors, a best fit judgement will be made by the Headteacher in consultation with the performance management reviewers as to a teacher's overall grade based on Ofsted judgements. Teachers demonstrating exceptional performance may be awarded progression up to two points on the scale; this will be determined by progress significantly above expected, evidence of consistently outstanding teaching and meeting all performance management targets as well as demonstrating they are competent in all elements of the teachers' standards. Teachers will have evidence that they have made a wider contribution to the school.

### Performance Appraisal Objectives

All performance management targets set for the year prior to assessment will be met. There are 3 objectives agreed at the annual appraisal review. Assessment against each target will be made during the appraisal review. Judgements will be supported by evidence provided by the reviewer and moderated by the Headteacher.

Teachers' annual appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the governing body, having regard to the appraisal report and taking into account advice from the senior leadership team. The Governing Body will consider its approach in the light of the school's budget and where possible will ensure that appropriate funding is allocated for pay progression at all levels.

### Post-Threshold Criteria

#### **Professional Attributes**

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

#### **Professional Knowledge and Understanding**

### ***Phoenix School***

12. 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.
13. 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.
14. Have an up-to-date knowledge and understanding of the different types of qualifications and specifications and their suitability for meeting learners' needs.
15. Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.
16. Have sufficient depth of knowledge and experience to be able to give advice on the development and well-being of children and young people.

### **Professional Skills**

17. 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.
18. 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.
19. Promote collaboration and work effectively as a team member.
20. Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback.

### **Teachers' Standards**

There will be an assumption that a teacher is meeting the standards **unless** a particular standard is identified which has not been satisfactorily addressed/met. The process for identifying standards which are not being met, will include the Monitoring and Evaluation system, line management and performance appraisals (including performance appraisal reviews mid-cycle).

### **Teaching**

Assessment of Teaching will be based upon the judgements made using the school's Teaching and Learning system.

'Majority' shall be deemed as 2 out of the 3 assessments made throughout the year which are recorded in the central Monitoring and Evaluation summary.

## ***Phoenix School***

Lesson Observations are undertaken following the school's Lesson Observation Protocol which is included in the Appraisal Policy.

### **Wider Contribution to the School for Main and Unqualified Pay Scale**

Success Criteria to measure the wider contribution to the school, shall include but is not limited to:

- Contributing to a Working Party / Group
- Leading an extra-curricular activity
- Planning a Focus Day
- Leading and/or delivering CPD

### **Wider Contribution to the School for Upper Pay Scale**

- Leading or actively contributing to a Working Party / Group
- Leading CPD
- Coaching, Mentoring or Supporting a colleague to support professional development or Support Programme
- Leading or significantly contributing in the development and implementation of a new policy, practice or initiative.

### **Evidence to Support Judgements**

The evidence to support recommendations for pay progression will include, but are not limited to:

- Whole School Monitoring and Evaluation Process including Lesson observations, Work Scrutiny and Drop-Ins
- Department Reviews
- Student progress and attainment data
- Line Management meetings

### **Moderation and Decision Making Process for Pay Progression**

Following the annual performance appraisal review, reviewers shall confirm if all performance targets have been met and provide their recommendation for pay progression based on the school's criteria.

All recommendation and supporting evidence will be reviewed by the Headteacher and Deputy. Following the determination of pay progression for each teacher on the Main, Upper and Unqualified scale, the Headteacher shall, on behalf of the panel, recommend the outcome of this process to the Personnel Committee who will make the final pay progression decision.

## **ANNEX 6**

### **IN THE EVENT OF THE SCHOOL DECIDING TO APPOINT LEAD PRACTITIONERS**

#### **TEACHERS: THE APPOINTMENT OF LEADING PRACTITIONERS**

**Phoenix School**

The school may decide to appoint Leading Practitioners as indicated in paragraph 18 of the STPC document 2013. Specific job requirements will include:

- A leadership role in developing implementing and evaluating policies and practices in the school contribute to school improvement
- Improving the effectiveness of staff and colleagues through coaching and mentoring Up to 20% of the Leading Practitioners time will be spent on this aspect of their role (including supporting other schools. Any costs associated with the provision of this service will be invoiced and be retained by the school).

Criteria for progression on the Leading Practitioner scale will be based on evidence that the leading Practitioner:

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

*Highly competent, substantial and sustained* are defined in ANNEX 3

**Linked Policies**

▪ Contract of Employment	▪ Induction of New Staff	▪ Performance Management
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<b>Headteacher:</b>		<b>Date:</b>	
<b>Chair of Governing Body:</b>		<b>Date:</b>	

## Initial Equality Impact Assessment

Please complete an initial equality impact assessment once this policy has been customised to suit your purposes.

Policy Title	The aim(s) of this policy	Existing policy (✓)	New/Proposed Policy (✓)	Updated Policy (✓)
			✓	

This policy affects or is likely to affect the following members of the school community (✓)	Pupils	School Personnel	Parents/carers	Governors	School Volunteers	School Visitors	Wider School Community

Question	Equality Groups																					Conclusion							
	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Yes	No			
Does or could this policy have a negative impact on any of the following ?	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS					
		✓			✓			✓			✓			✓			✓			✓				✓					
Does or could this policy help promote equality for any of the	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'no' or 'not sure'				
	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No

**Phoenix School**

following ?	✓			✓			✓			✓			✓			✓			✓			✓			✓	
Does data collected from the equality groups have a positive impact on this policy?	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'no' or 'not sure'	
	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Yes	No
	✓			✓			✓			✓			✓			✓			✓			✓				✓

<b>Conclusion</b>	We have come to the conclusion that after undertaking an initial equality impact assessment that a full assessment is not required.
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<b>Preliminary EIA completed by</b>	<b>Date</b>	<b>Preliminary EIA approved by</b>	<b>Date</b>

<b>Policy Evaluation</b>
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Points to be considered	Yes	No	N/A	Please supply evidence
• Policy annually reviewed				
• Policy in line with current legislation				
• Coordinator in place				
• Nominated governor in place				
• Coordinator carries out role effectively				
• Headteacher, coordinator and nominated governor work closely				

**Phoenix School**

• Policy endorsed by governing body				
• Policy regularly discussed at meetings of the governing body				
• School personnel aware of this policy				
• School personnel comply with this policy				
• Pupils aware of this policy				
• Parents aware of this policy				
• Visitors aware of this policy				
• Local community aware of this policy				
• Funding in place				
• Policy complies with the Equality Act				
• Equality Impact Assessment undertaken				
• Policy referred to the School Handbook				
• Policy available from the school office				
• Policy available from the school website				
• School Council involved with policy development				
• All stakeholders take part in questionnaires and surveys				
• All associated training in place				
• All outlined procedures complied with				
• Linked policies in place and up to date				
• Associated policies in place and up to date				
<b>A statement outlining the overall effectiveness of this policy</b>				