

# Whole School Pay Policy 2023/24 Academic Year

**Create Learning Trust**



Approved by	Date	Review Schedule	Date of Review
Board of Trustees	November 2023	Annually	November 2024

## 1. Introduction:

The governing body aims to maximise the achievement of every pupil at the school and recognises the value of a well-motivated and capable body of teaching and support staff in the achievement of this.

The governing body is required to establish a whole school pay policy, monitor the implementation and outcome(s) of the arrangements and review the policy and its operation every year. This pay policy seeks to ensure that all staff are properly rewarded for their contribution towards this shared goal. This policy has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document.

In adopting the pay policy the aim is to:

- Maximise the quality of teaching and learning at the school, by ensuring that implementation of the policy takes full account of the school's plans for improvement and development.
- Have proper regard for the work/life balance of staff at the school.
- Recruit, retain, motivate and develop staff.
- Be able to demonstrate that the policy and decisions on pay are managed in a fair, just and equitable way, recognising the principle of equal pay for like work and work of equal value.
- Determine the annual pay budget, including that for pay progression, compatible with the school's overall budget position.
- Be consistent with the school's appraisal policies.
- That the impact of the exercise of pay discretions does not contravene the Equality Act 2010.

This policy was provisionally adopted by the finance and personnel committee of the governing body of Create Learning Trust. The Pay Policy is due to be reviewed at the BRA committee on 21<sup>st</sup> November 2023 then approved by the Trustees Board on 8<sup>th</sup> December 2023.

The governing body has established a Pay Panel with fully delegated authority to make pay decisions based on the recommendations of the Headteacher. The membership and terms of reference of the pay committee are attached (Appendix A).

### Basic Principles:

The staffing structure of the schools are available from each school. All posts within the structure have detailed job descriptions which are subject to annual review and which are written with due regard to enabling staff to maintain a reasonable work/life balance.

The governing body has determined the range and grade of each post in accordance with the STPCD or relevant job evaluation scheme, taking into account the duties and responsibilities of each post.

The governing body is committed to the operation of an appraisal process for teachers and support staff, with the objective of maximising the professional development of all staff and progress of pupils. The governing body will ensure that all staff in school have access to advice, training and development opportunities appropriate to their needs.

### Equality Act 2010:

In accordance with its Public Sector Equality Duty, the Governing Body has given due regard to equality considerations in adopting this policy/procedure and is satisfied that its application will not impact adversely on members of staff who have a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) within the meaning of the Equality Act 2010.

The Governing Body will monitor the application of the policy and its outcomes to ensure that this remains the case over time.

### **Pay Appeals Procedure:**

A member of staff may seek a review of any determination in relation to his or her pay or any other decision taken by the governing body (or committee or individual acting with delegated authority) that effects his or her pay.

The procedures to be followed for Teaching and Support staff are set out later in this document.

### **Support Staff Pay:**

The governing body recognises and values the contribution made to the school by non-teaching staff, known collectively as support staff.

### **Conditions of Service**

The pay and conditions for support staff are determined through the National Joint Council for Local Government Services as adopted by Cheshire West and Chester Borough Council and the School. This group of staff includes all staff at the school that are not subject to teachers' pay and conditions.

### **Pay Spine**

The Governing Body has adopted the CWAC Council pay spine for support staff including CWAC living wage as adopted by the Governing Body. A copy is available from the school office.

### **CWAC Living Wage**

The Trust Board has adopted the CWAC Living Wage and this will mean that all staff will receive a minimum of £10.50 per hour. This rate will be reviewed annually.

### **Job Descriptions and Job Evaluation**

The governing body has determined the range and grade of each post in accordance with the agreed job evaluation scheme, taking into account the duties and responsibilities of each post.

### **Salary on Appointment**

It is expected that on appointment an individual will normally be placed at the first point of the relevant grade. Where an individual was previously employed under the conditions of service of the National Joint Council for Local Government Services immediately prior to appointment at the school, their starting pay should not be less than their previous salary, as far as this may be accommodated within the overall grade of the post. Consideration may also be given to appointment above the first point of the scale in recognition of experience and/or qualifications and where there is a justifiable business case for doing so.

The Headteacher may offer an appointment on less than the full grading range where the employee will not be undertaking, initially, the full duties and responsibilities of the job. If such an arrangement is agreed with the successful applicant, the written notification will specify clearly the reasons why the full range is not being applied and the date when the situation will be reviewed, with a view to the full grading being applied. Application of the full grading will not entitle the employee to a pay increase under the re-grading provisions (unless they are currently paid below the minimum of the full grade).

### **Incremental Progression**

In accordance with the incremental progression procedure adopted by the Governing Body, support staff are eligible to move one point on their pay grade on the anniversary of their start date until the top of the range for the grade is reached. In all cases, there will be no incremental progression beyond the evaluated grade of the post.

An incremental progression point may be withheld in exceptional circumstances if the staff member is subject to poor performance procedures. The Governing Body may choose to award the incremental point at a later date when the staff member's performance has returned to satisfactory.

A member of staff may be paid one or more accelerated increment(s) within the grade for the job at any time, without prejudice to the normal annual increment, at the discretion of the Headteacher.

### **Pay Appeals**

Any member of support staff may seek a review of their grade where they are able to demonstrate a substantial increase in their duties and responsibilities. The staff member should write to the Headteacher setting out the grounds for a review. Where a case for review is made, the Headteacher will arrange for the job details to be re-evaluated in accordance with the NJC Job Evaluation Scheme as adopted by Cheshire West and Chester Council.

If the member of staff remains dissatisfied, they will have a right of appeal to the Governors Pay Appeal Panel. The member of staff will be given the opportunity to make representations in person and may be accompanied by a trade union representative or work colleague.

The decision of the Pay Appeal Panel will be final.

### **Salary on Promotion or Re-grading**

On re-grading or promotion to a grade with a higher maximum salary, an employee will be paid a salary on the new grade which is at least one increment above the salary that they would have received in the former grade on the date of grading change. An increase of more than one increment may be justified in the case of a promotion but will be exceptional where the job is regraded. The level of the starting salary is at the discretion of the Headteacher/GB.

### **Acting allowance**

Where a member of staff covers the full duties of a higher graded role on a temporary basis, for example to cover a vacancy or in the absence of the substantive post holder (other than to cover for annual leave), for a period of at least 4 weeks, they may be paid an acting allowance equivalent to the grade of the post they are covering. Acting arrangements are time limited and will

be subject to regular review.

Where an employee is undertaking partial duties of a higher graded role, a special recognition payment may instead be considered.

### **Recognition Award Scheme**

Recognition awards to individual employees will be given for exceptional performance, normally something additional and something that requires greater skills or carries greater responsibilities. They are not given for doing the job the employee is appointed to do well.

The maximum payment will not exceed 7.5% of basic annual salary and the payment of anything in excess of 5% of basic annual will be exceptional. Payment will be non-pensionable.

Awards will be funded from within the school's budget.

Awards will be linked to Staff Appraisal and key tasks but there will be justification in some circumstances for recognition outside this process.

### **Retirement Awards**

#### **Community and Controlled Schools - N/A**

Employees who retire and access their pension, or if not a member of the pension scheme but would have been eligible to access their pension will receive a Retirement Award of a one-off payment of £20 per year of service. There are no minimum or maximum service criteria. The sum will be paid in the year of retirement.

### **Academy Schools**

Employees who retire with 20 years' service with the School / Council (which need not be continuous) will receive a lump sum payment of £870 in their last year of service (pro rata for part time employees). The Award applies to all employees who qualify and for those in the Local Government Pension Scheme, it is pensionable. The amount will be updated annually in line with the average pay increase for non-teaching employees.

### **Premium Payments**

In some circumstances voluntary overtime may be offered to staff to cover specific duties. In all cases, voluntary overtime must be agreed in advance of any work undertaken. The rate of pay for voluntary overtime will be time and a half for all hours worked in excess of 37 hours per week for grades 1 to 6.

### **Teaching Staff Pay:**

The Governing Body recognises and values the contribution made to the school by teaching staff. This group of staff includes all staff at the school that are subject to teachers' terms and conditions, including unqualified teachers/instructors.

### **Conditions of Service**

Pay and conditions for teaching staff are negotiated nationally and the statutory requirements are set out in the School Teachers' Pay and Conditions Document (issued annually) and the Conditions of Service for School Teachers in England and Wales (often referred to as the Burgundy Book).

## Pay Ranges

All teachers employed at the school are paid in accordance with the statutory provisions of the School Teachers' Pay and Conditions Document, as updated. A copy of the STPCD may be viewed in the school office or online (<https://www.gov.uk/government/publications/school-teachers-pay-and-conditions>)

**Pay points within pay ranges used within this school are set out in the relevant paragraphs later in this policy.**

## Long Service Award

An employee who has 10 years' service in the Trust will be eligible for a long service award. The continuous service date for those employees who worked for Cheshire West and Chester prior to conversion, will be taken into account.

On retirement or resignation an employee with 10 or more years' service will qualify for an award of £20 per year of service e.g. 10 years' service equates to a £200 award. This will be paid in the employee's final salary.

## Pay Reviews

The governing body will ensure that every teacher's salary is reviewed with effect from 1 September each year and no later than 31 October (31 December for Head Teachers).

Pay reviews will be in respect of incremental progression within pay ranges or to consider applications to the Upper Pay Range.

Any annual pay award applying to the national pay framework will also apply to locally adopted pay points and allowances, provided a single percentage award is agreed. Where a differentiated award is agreed, the differentiated element may be subject to individual performance assessment. Annual pay awards will not automatically apply to additional or discretionary payments.

A pay decision will be made annually for all teachers. Where a teacher will be absent because of maternity leave at the time of the appraisal review, the appraiser will conduct an appraisal review prior to maternity leave starting and this will be used as the basis for a pay recommendation.

Where a teacher is absent for the whole of the appraisal period the appraiser will use appraisal information from the next most recent appraisal to inform pay recommendations.

Where a teacher is on long term sickness absence at the relevant time or has had a long term sickness absence during the relevant appraisal period consideration will be given to making reasonable adjustments in relation to the assessment of their performance against success criteria as appropriate on a case by case basis.

Within one month of the determination, the governing body will provide the teacher with an individual written statement setting out their salary and any allowances to which they are entitled, and advising where a copy of the whole school pay policy (including the staffing structure) may be inspected.

Pay reviews for all teachers, including the Headteacher, will be based on performance as recorded through staff appraisal. Every appraisal report will contain a pay recommendation for eligible staff.

Pay recommendations and decisions will be based on an overall assessment of the teacher's performance which will include the extent to which teachers have met their individual objectives and the relevant standards as evidenced through their contribution and impact to pupil progress; wider outcomes and impact for pupils; improvement on, effectiveness and impact of specific elements of practice and their wider contribution to the school or Trust.

It is expected that pay recommendations will be in line with professional dialogue during the course of the appraisal year and will not be a surprise to the appraisee. It will be possible for a "no pay progression" determination to be made without recourse to the capability procedure.

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 senior leaders.

Reviews may take place at other times of the year to reflect any changes in circumstances or job role that leads to a change in the basis for calculating an individual's pay. A written statement will be provided after any review and where applicable will give information about the basis on which it was made.

Where a pay determination leads or may lead to a period of salary safeguarding, the governing body will give the required notification as soon as possible and no later than one month after the date of the determination.

### **Teaching Staff Pay Appeals Procedure:**

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

Appeals may be made on the grounds that the person or committee by whom the decision was made has:

- a) incorrectly applied any statutory provision
- b) failed to have proper regard for statutory guidance
- c) failed to follow the school's own policies (appraisal or pay) properly
- d) failed to take proper account of relevant evidence
- e) took account of irrelevant or inaccurate evidence
- f) was biased, and/or
- g) otherwise unlawfully discriminated against the individual concerned.

This list is not exhaustive.

### **The procedure for considering appeals is as follows:**

#### **Informal stage**

As part of the Appraisal process, each teacher will be made aware of any pay recommendation to be reported to Governors.

Where a teacher is dissatisfied with a pay recommendation, they should (within five working days) request a meeting with their Headteacher. The Headteacher will, within a further five working days, arrange a meeting (at which the appraiser should be present) to enable the teacher to present their arguments and any additional evidence they feel has not been taken into account. This meeting should take place prior to the meeting of the Governors Pay Panel and the teacher will also be advised before that meeting whether the pay recommendation is to be changed.

Where the Headteacher is the appraiser, the teacher will have the right to submit written representations which will be included in the paperwork submitted to the Governors Pay Panel.

Following the meeting of the Pay Panel, teachers will receive written confirmation of their pay determination and the basis upon which the decision was made (no later than 5 working days' after the meeting).

### **Formal stages**

#### **Stage 1- Pay Hearing**

1. Where a teacher is dissatisfied with a pay decision, they should set down in writing their reasons in sufficient detail for a response to be prepared, and send it to the Chair of the Governors' Pay Panel, within ten working days of the notification of the pay decision.
2. The Chair of the Pay Panel will arrange a hearing within ten working days of receipt of the written appeal, at which they will consider the case and give the staff member an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal. The deadline for any appeal will be ten working days from receipt of written confirmation of the Stage 1 decision.

#### **Stage 2 – Appeal**

3. Any pay appeal will be heard by a panel of three Governors who were not involved in the original determination normally within twenty working days of the receipt of the written notification of appeal. The member of staff will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing and where the appeal has been rejected this will include a note of the evidence considered and the reasons for the decision. The decision of the governors at this hearing will be final.

At all hearings under formal procedures the staff member is entitled to be accompanied by a colleague or trade union representative. Where possible the colleague or trade union representative will be consulted on the proposed date of a hearing. If a date is set at which the colleague or trade union representative is unable to attend, the teacher may suggest an alternative date and time provided it is reasonable and is not more than five working days after the original date.

### **Pay range for Head Teachers**

The governing body has a statutory duty to assign a school group size and a pay range for the head teacher.

The governing body will calculate the head teacher group size each September in accordance with the current STPCD.

The governing body will assign a pay range

- when planning a new appointment,
- when the school group changes or
- where there is a change in the school's circumstances that leads to a significant change in the responsibilities of the post.

When determining the Headteacher pay range, the governing body will take into account all the permanent responsibilities of the role, any challenges specific to the role and all other relevant



circumstances including recruitment or retention difficulties.

The governing body will ensure that the process of determining the remuneration of the head teacher is fair and transparent. There will be a proper record made of the reasoning behind the determination of the pay range and the ratification of decisions made in this respect. No retention payment has been approved.

The Headteacher pay range is not an incremental scale and there is no automatic right to pay progression. Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance reflected in a successful appraisal and shall not exceed two spine points in the course of any school year.

A successful appraisal and the circumstances in which the governing body will consider awarding a pay point are where their appraisal outcome confirms the Headteacher has met or has made demonstrable progress with their individual objectives; is meeting or working towards appropriate elements of the Headteacher Standards of Excellence; pupil progress is improving; there has been positive impact on wider outcomes for pupils and evidence exists of the positive impact of the Headteacher's leadership on the effectiveness of teachers or other staff.

The circumstances in which the governing body will consider awarding two points in one year are where their appraisal outcome confirms the Headteacher has made a specific exceptional contribution to school life which exceeded their individual objectives and has had a demonstrable impact on pupil progress outcomes; on the quality of teaching and learning across the school/Trust and applications for places are increasing.

It will be possible for a "no pay progression" determination to be made without recourse to the capability procedure. In the event that the Headteacher is not making sufficient progress for a successful appraisal to be achieved, the Chair of the Headteachers Appraisal Committee will write to the Headteacher as soon as this becomes apparent to alert them and agree appropriate support.

### **Determination of discretionary payments to head teachers**

The governing body will determine a pay range which takes into account the full responsibilities of the Head Teacher's post as and when it sees fit. Any discretionary payments in addition to the salary arising from the head teacher's point on the pay range will be made in accordance with the STPCD. The total of all discretionary payments made to a head teacher in respect of any school year (with the exclusion of residential payments and/or relocation expenses) will not exceed 25 per cent of the amount which corresponds to their point on the assigned pay range in that year, unless there are exceptional circumstances. The total sum of salary and other payments made to the Headteacher will not exceed 25% above the maximum of the Headteacher group range unless there are wholly exceptional circumstances, external advice has been sought and with the agreement of the governing body.

It will be wholly exceptional to make discretionary payments which exceed the limit of 25 per cent. If it is considered that there are wholly exceptional circumstances that warrant a payment in excess of this limit, the governing body will make a business case, and will seek external independent advice from the Local Authority as to whether the provisions of the document have been properly applied to the head teacher's pay. The governing body will keep a full and accurate record of advice received and all decisions made by the governing body and the reasoning behind them.

In making any decision to exercise its discretion in this respect, the governing body will ensure that to action such an increase will offer the school value for money in the services it is able to provide

in relation to the costs incurred and will require evidence to support any such case.

### **Pay range for deputy and assistant head teachers**

The LAB at each school has determined that one deputy head teacher post be included in the school's staffing structure. The LABs will determine whether an assistant head teacher is required in any of the schools.

The professional duties of deputy and assistant head teachers and assistant head teachers are set out in the STPCD.

The LAB will determine a pay range for deputy and assistant head teachers. The LAB will ensure that the pay range for deputy and assistant head teachers is determined in accordance with the STPCD with due regard to pay rates for other teaching posts and the head teacher.

The pay range for deputy head teachers for the academic year 2023 - 2024 is:

L4 - £50,807  
 L5 - £52,074  
 L6 - £53,380  
 L7 - £54,816  
 L8 - £56,082  
 L9 - £57,482  
 L10 - £58,959  
 L11 - £60,488  
 L12 - £61,882

The pay range for assistant head teachers for the academic year 2023 - 2024 is:

L2 - £48,366  
 L3 - £49,574  
 L4 - £50,807

The LAB will determine the pay range for deputy and assistant head teachers in the following circumstances:

- When it proposes to make new appointments, or
- Where there is a significant change in the responsibilities of serving deputy or assistant head teachers.

The deputy and assistant head teacher ranges are not incremental scales and there is no automatic right to pay progression. Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance reflected in a successful appraisal and shall not exceed two spine points in the course of any school year.

A successful appraisal and the circumstances in which the governing body will consider awarding one point are where their appraisal outcome confirms the Deputy or Assistant Heads have met or have made demonstrable progress with their individual objectives; is meeting all of the Teacher Standards for their career position; pupil progress is improving; they have had a positive impact on wider outcomes for pupils; improvements can be evidenced in specific elements of practice such as behaviour management or lesson planning; evidence exists of positive impact on the effectiveness of teachers or other staff and they are making a wider contribution to the school.

Evidence also exists of how they have embraced their professional and leadership responsibilities.

The circumstances in which the governing body will consider awarding two points in one year are where their appraisal outcome confirms the Deputy or Assistant Head has made a specific exceptional contribution to school life which exceeded their individual objectives and has had a demonstrable impact on pupil progress outcomes. Evidence also exists of how they have embraced their professional and leadership responsibilities.

It will be possible for a “no pay progression” determination to be made without recourse to the capability procedure. In the event that a Deputy or Assistant Headteacher is not making sufficient progress for a successful appraisal to be achieved, the Appraiser will write to the Deputy or Assistant Headteacher as soon as this becomes apparent to alert them and agree appropriate support.

Deputy and assistant head teachers are not eligible for teaching and learning responsibility payments.

### **Pay range for leading practitioners**

The LAB has determined that no leading practitioner posts are to be included in the school’s staffing structure. These posts have the primary purpose of modelling and leading improvement of teaching skills.

### **Pay ranges for other classroom teachers**

#### **Pay on appointment**

The starting salary of a teacher on appointment to this school will be determined by the appointing panel taking account of the skills and experience of the teacher; details included in any advert and the provisions of the STPCD.

Each appointment will be based on the needs at the time of the school and will be subject the school’s requirements at the time.

The Headteacher will identify the needs at the time prior to advertising and select the most appropriate criteria and detail this within the job specification and job description.

Whenever possible, the school aims to:

- Determine the pay range for a vacancy prior to advertising it and deciding the starting salary within that range to be offered to the successful candidate taking into account a range of factors, including:
  - the nature of the post
  - the level of qualifications, skills and experience required
  - market conditions
  - the wider school context

The Governing Body will delegate the decision on a case by case basis to the appointing panel and the Headteacher.

### **Main pay range**

Qualified teachers who are not entitled to be paid on any other pay range will be paid in accordance with the school's main pay range: as agreed by the Pay and Personnel panel.

Main Pay Scale –

M1 - £30,000

M2 - £31,737

M3 - £33,814

M4 - £36,051

M5 - £38,330

M6 - £41,333

The main pay range is not an incremental scale and there is no automatic right to pay progression. Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance reflected in a successful appraisal and shall not exceed two spine points in the course of any school year.

A successful appraisal and the circumstances in which the governing body will consider awarding one pay point are where their appraisal outcome confirms the teacher has met or has made demonstrable progress with their objectives; is meeting the relevant career stage standards and the majority of teaching is assessed as at least good. For teachers on the MPR who are also TLR holders, Governors will wish to ensure that the teacher's appraisal confirms that their performance related to the duties for which a TLR payment is made is good.

The circumstances in which the governing body will consider awarding two pay points are where their appraisal outcome confirms they have exceeded their objectives and are exceeding the relevant career stage standards and all teaching is assessed as outstanding and there has been a demonstrable impact on school improvement.

It will be possible for a "no pay progression" determination to be made without recourse to the capability procedure. In the event that a teacher is not making sufficient progress for a successful appraisal to be achieved, the Appraiser will write to the teacher as soon as this becomes apparent to alert them and agree appropriate support.

### **Decisions on pay progression for early career teachers**

Subject to statutory induction arrangements will be taken by 31st October each year to take effect on 1<sup>st</sup> September that year and will be based on a recommendation from the Headteacher which takes account of the teacher's assessment under the induction arrangements and against the Teachers' Standards.

### **Upper Pay Range**

Qualified teachers who have been assessed by this school as meeting the standards for payment on the Upper Pay Range will be paid in accordance with the school's upper pay range:

Minimum: £43,266

UPS2: £44,870

Maximum: £46,525

The upper pay range is not an incremental scale and there is no automatic right to pay progression. Teachers who wish to progress to the next point on the school's Upper Pay Range should make a written

application to the Headteacher prior to their annual appraisal review meeting setting out their evidence to support their application. A recommendation on their application will be made by 31<sup>st</sup> October for consideration by the Governing Body Pay Panel and any decision to award a pay point will be backdated to 1<sup>st</sup> September.

Decisions regarding pay progression will be made on the basis of application and with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance reflected in successful appraisals.

Successful appraisals and the circumstances in which the governing body will consider awarding pay progression are where their appraisal outcome confirms that the teacher has met or made demonstrable progress with their individual objectives; their performance over at least two academic years in this school has been highly competent in all elements of the career stage standards; all of their teaching is assessed as at least good with the large majority being outstanding; and that their achievements and contribution to the school are substantial and sustained. For teachers on the MPR who are also TLR holders, Governors will wish to ensure that the teacher's appraisal confirms that their performance related to the duties for which a TLR payment is made is good.

Only in the exceptional circumstances will an upper pay range teacher progress on the range more frequently than at two yearly intervals. The circumstances in which the governing body will consider earlier progression are if there has been a significant increase in responsibility and a substantial and sustained whole school improvement project has been led highly effectively of which it has improved standards in teaching and learning across the school.

It will be possible for a "no pay progression" determination to be made without recourse to the capability procedure. Where the teacher has indicated at their annual appraisal meeting that they intend to apply for progression within the UPR at the end of the appraisal period, then in the event that a teacher is not making sufficient progress for a successful application, the Appraiser will write to the teacher as soon as this becomes apparent to alert them and agree appropriate support.

Any points awarded on the upper pay range are permanent, while the teacher remains in the same post or takes up another post in this school.

A decision not to award pay progression may be taken whether or not the teacher is subject to capability proceedings.

### **Progression to the Upper Pay Range**

It is the responsibility of teachers to decide whether they wish to apply to be paid on the Upper Pay Range. Determinations as to whether a teacher progresses to the upper pay range will be made in accordance with the STPCD and the process set out in this pay policy.

In this school teachers will be eligible to apply for progression where the teacher has progressed to the top of the school's main pay range; has been at the top of the Main Pay Range for at least a year in this school; and is demonstrably working to the UPR career stage standards.

An application from a qualified teacher will be successful where the Governing Body is satisfied that the teacher has evidence of high performance in this school in the previous two years which shows that the teacher is highly competent in all elements of the teacher's standards and that their achievements and contribution to the school are substantial and sustained and they are able to demonstrate that they have developed professionally in their teaching expertise and make a significant contribution to improving outcomes of pupils within the school.

Teachers who have absences or breaks who believe they may be eligible to move through into the upper pay scale may be able to use evidence from prior performance management/appraisal to support their application. This will be assessed on a case by case basis and the decision will be made by the Headteacher and referred to the chair of governors.

Teachers may apply to be considered for progression to the upper pay range once per year. Where a teacher is intending to apply to progress to the UPR, they should notify their appraiser at the start of the appraisal year.

Applications should be submitted to the Headteacher, using the attached form, in advance of their annual appraisal review and a recommendation will be made by 31 October for consideration by the Governing Body Pay Panel and if successful, pay awards will take effect from 1 September in the year of application.

Where a teacher has been assessed as meeting the standards, they will be appointed to the first point on the Upper Pay Range.

It will be possible for a “no progression” determination to be made without recourse to the capability procedure. Where the teacher has indicated at their annual appraisal meeting that they intend to apply for progression to the UPR at the end of the appraisal period, then in the event that a teacher is not making sufficient progress for a successful application, the Appraiser will write to the teacher as soon as this becomes apparent to alert them and agree appropriate support.

Progression to the upper pay range is permanent, while the teacher remains employed in this school.

### **Pay range for unqualified teachers**

The school’s pay range for an unqualified teacher is:

Scale Point 1 - £20,598  
 Scale Point 2 - £22,961  
 Scale Point 3 - £25,323  
 Scale Point 4 - £27,406  
 Scale Point 5 - £29,772  
 Scale Point 6 - £32,134

The unqualified pay range is not an incremental scale and there is no automatic right to pay progression. Decisions regarding pay progression will be made annually with reference to the most recent appraisal report. Any movement up the pay range will only be made where there has been sustained high quality of performance reflected in a successful appraisal and shall not exceed two spine points in the course of any school year.

A successful appraisal and the circumstances in which the governing body will consider awarding one pay point are where their appraisal outcome confirms the teacher has met or has made demonstrable progress with their objectives; the vast majority of teaching is assessed as at least good and they take advantage of opportunities for professional development and use the outcomes effectively to improve pupils’ learning.

It will be possible for a “no pay progression” determination to be made without recourse to the capability procedure. In the event that a teacher is not making sufficient progress for a successful appraisal to be achieved, the Appraiser will write to the teacher as soon as this becomes apparent to alert them and agree appropriate support.

Any pay points awarded to unqualified teachers are permanent, while the teacher remains employed at this school.

Unqualified teachers are not eligible for teaching and learning responsibility or special educational needs allowances. The governing body will not under any circumstances determine a salary for an unqualified teacher outside of the unqualified teacher pay spine.

## **Allowances for classroom teachers**

### **Teaching and Learning Responsibility Payments**

TLRs are awarded at the discretion of the governing body. TLR 2 and 3 payments will be awarded to the holders of the posts indicated in the attached staffing structure (if applicable). A TLR 1 or 2 payment when assigned will last for the duration of the post and changes to the staff structure will be subject to consultation. Teachers will not be expected to undertake relevant permanent additional responsibilities without award of a TLR payment.

The governing body will award Fixed Term Teaching and Learning Responsibility payments (“TLR 3”s) to a classroom teacher who is required to undertake a clearly defined and time-limited school improvement project or one-off externally driven responsibility. The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term. TLR3’s are not subject to salary safeguarding.

TLR3 payments will not be used to replace or otherwise limit progression on the Main, Upper or Leading Practitioner pay ranges.

The values of TLRs to be awarded are set out below:

#### **Teaching and Learning Responsibility payments**

The annual value of a TLR 1 must be:  
no less than £9,272  
and no greater than £15,690

The annual value of a TLR 2 must be:  
no less than £3,214  
and no greater than £7,847

The annual value of a TLR 3 must be:  
no less than £639  
and no greater than £3169

TLR1’s and 2’s will only be awarded if the governing body is satisfied that the duties of the post include a significant responsibility that is not required of all classroom teachers and that:

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



In addition, before awarding a TLR1, the governing body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people.

A teacher may not hold more than one TLR 1 or 2 of any value concurrently. A TLR is a payment integral to a post in the school's staffing structure and may therefore only be held by two or more people when job-sharing that post. Holders of a TLR1 or 2 will also be eligible to receive a TLR3.

### **Special Educational Needs Allowance**

The governing body will award an SEN Allowance to a classroom teacher:

- a) In any SEN post that requires a mandatory SEN qualification (not including the mandatory SENCO qualification leading to the achievement of the National Award for Special Educational Needs Co-Ordination),
- b) In a special school,
- c) Who teaches pupils in one or more designated special classes or units in a school or, in the case of an unattached teacher, in a local authority unit or service,
- d) In any non-designated setting (including any pupil referral unit) that is analogous to a designate 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, and
  - 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 schools or unit within the school or, in the case of an unattached teacher, the unit or service.

The SEN allowance is determined as a spot value, taking into account the structure of the school's SEN provision and:

- a) whether any mandatory qualifications are required,
- b) the qualifications and expertise of the teacher relevant to the post, and
- c) the relative demands of the post.

The values of the SEN allowances to be awarded are set out below:

### **Special Educational Needs allowances**

No less than £2,539

No more than £5009

### **Additional allowances**

#### **Acting allowance**

Where a teacher is assigned and carries out duties of a head teacher, deputy head teacher, or assistant head teacher, but has not been appointed as an acting head teacher, deputy head teacher or assistant head teacher, the governing body will, within the period of four weeks beginning on the day on which such duties are first assigned and carried out, determine whether or not an 'acting allowance' must be paid in accordance with the following provisions. Where the governing body determines that an acting allowance will not be paid but the relevant duties continue, then the governing body may review this decision and make a further



determination at a future date as to whether or not an acting allowance may be paid.

If paid, the acting allowance will be of such value as to ensure that the teacher receives remuneration of equivalent value to such point on the leadership pay spine as the governing body has determined applies to the head teacher, deputy head teacher or assistant head teacher (as set out in this policy).

For as long as an acting allowance is being paid, the teacher will be expected to undertake the professional responsibilities applicable to a head teacher, deputy head teacher or assistant head teacher and work to the relevant teachers' standards.

### **Continuing professional development (CPD) undertaken outside of the school day**

A payment may be made to a teacher (including the head teacher) for voluntary CPD which the teacher has undertaken outside of the school day. The governing body has the discretion to decide which activities would be eligible for such a payment and the minimum number of hours that must be undertaken before a payment is considered. The governing body has determined the following method by which to calculate such a payment a flat rate salary for evening hours after 6pm e.g. attending an evening course or 1.5 x normal salary for weekend work e.g. attending a Saturday workshop.

### **Activities relating to the provision of initial teacher training as part of the ordinary conduct of the school**

Additional payments will not be made for any ITT activities undertaken on behalf of the school.

### **Participation in out of school hours learning activity agreed between the teacher and the governing body**

Teachers, including the head teacher, who agree to provide learning activities outside of normal school hours and whose salary range does not take account such activity may be entitled to a payment of a flat rate. This may include activities such as holiday club or weekend activities and will be at the discretion of the Headteacher/governing body. It will be decided and identified to staff if the activity is to be voluntary or paid work and will be on an individual activity basis.

In order to ensure effective work life balance and also value for money in the delivery of the services provided the governing body should consider carefully who is best placed to undertake these activities. It may not necessarily be a teacher. Activities will be offered to staff following a fair and transparent process.

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

The operating principles and requirements of the provision of services to other schools may be found within the STPCD.

The Head teacher may occasionally provide services to other schools, for example as a consultant leader, school improvement partner, local leader of education or national leader of education. Such arrangements will be subject to the agreement of The Governing Body and when entered into, the governing body will determine how much, if any additional payment will be made to the Headteacher and for how long. Payments are not automatic.

The governing body will also, in such circumstances, consider whether to review the remuneration of other staff whose duties and responsibilities may be impacted on by the head teacher's additional role.

Where such additional responsibilities are temporary, any related additional payments will also be temporary. Salary safeguarding arrangements will not apply when such payments cease.

Additional areas of work that may attract a payment of between £250 - £750 (depending upon deployment and outcomes) per annum are for the deployment of Specialist Lead Teachers. This discretionary payment will be identified to the SEN and EYFS SLEs during appraisal meetings.

Any payment received following work from deployment of the Headteacher as an LLE or SLE will go into school budget.

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

Payments will not be made under the 'recruitment and retention' criteria for additional work undertaken, for specific responsibilities or to supplement pay for other reasons. No recruitment or retention payment will be made to the head teacher other than as reimbursement of reasonably incurred housing or relocation costs. All other recruitment and retention considerations in relation to the Headteacher will be taken account of through determination of the Headteacher's pay range.

In the case of retention, a recommendation to offer incentives or benefits would be made by the head teacher to the Pay Panel.

In the case of recruitment difficulties, a decision to offer incentives or benefits may be made by the selection panel where authority in respect of this function has been delegated to the selection panel itself.

In either case, before a recruitment and retention incentive or benefit is agreed, a business case with supporting evidence should be constructed by the head teacher, or the selection panel, for consideration by the Pay Panel. Recommendations and authorisations must be recorded.

The governing body will, from time to time, determine whether any recruitment or retention awards will be paid for specific subject shortages. All such decisions will be determined by the Pay Panel after consideration of a written business case and will be subject to annual review.

The governing body will review the level of any such awards annually or more frequently and will indicate the expected duration of such awards when made.

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

The governing body will make payments to all teaching staff who undertake voluntary INSET at weekends or during school closure periods. Payment for such activities will be based upon the savings derived from avoiding the need for supply cover. All payments must be paid with salary and will be subject to income tax and national insurance deductions and pension contributions.

### Salary sacrifice

The governing body supports the following salary sacrifice arrangements: Childcare vouchers and bike scheme. Arrangements will be made to enable staff to participate in these schemes should they wish to do so.

### Bonuses/Honoraria

**There is no provision within the STPCD for the payment of bonuses or honoraria in any circumstances and that any such award made to a teacher for their teaching work would be unlawful. The governing body will not therefore pay any bonus or honoraria to any member of the teaching staff for carrying out their professional duties as a teacher.**

### Part-time teachers

Teachers employed on an ongoing basis at the school who work less than a full working week are deemed to be part time. The governing body will ensure that part time teachers are given a written statement detailing their working time obligations (within and beyond the school day) and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison to the school's timetabled teaching week for a full time teacher in an equivalent post.

Part time teachers will be paid a pro-rata percentage of the appropriate full time equivalent salary and the same percentages will be applied to any allowances (except TLR3's) awarded to a part time teacher as set out in the STPCD.

### Short notice/supply teachers

Teachers employed on a day to day or other short notice basis will be paid on the main pay scale. The maximum level that the school is prepared to pay is M6. Teachers beyond this (i.e. UPS) will be advised and offered a rate of M6 and only in exceptional circumstances and at the discretion of the Headteacher will the level be increased.

Teachers employed on a day to day or other short notice basis must be paid in accordance with the STPCD on a daily rate calculated by dividing the annual amount by 195.

Teachers who work less than a full day will be hourly paid and will have their salary calculated by dividing the annual amount by 1,265 to give an hourly rate.

A short notice teacher who is employed by the school or another school in the authority throughout a period of 12 months (beginning August or September) will not be paid more in respect of that period than s/he would have if s/he had been in regular employment throughout the period.

## **GOVERNING BODY PAY PANEL TERMS OF REFERENCE**

### MEMBERSHIP

- The Pay Panel will comprise of at least three governors.
- Governors employed at the school will not be eligible for membership of the Pay Panel.

### PAY POLICY

The Pay Panel is responsible for:

- Establishing the school's pay policy, in consultation with the head teacher, staff and trade union representatives, and submitting it to the governing Body for approval.

The Governing Body is responsible for:

- Formal approval of the policy

### MONITORING AND REVIEW OF THE PAY POLICY

The Pay Panel is responsible for:

- Reviewing the policy annually, in consultation with the head teacher, staff and trade union representatives, and submitting it to the governing Body for approval.

The Governing Body is responsible for:

- Considering an annual report, including statistical information, on decisions taken in accordance with the policy.

### PAY DECISIONS

The Headteacher is responsible for:

- Ensuring that pay recommendations for the deputy and assistant Headteacher(s), classroom teachers and support staff are made and submitted to the Pay Panel.
- Advising the Pay Panel on the reasons for the recommendations, and
- Ensuring that staff are informed of the decisions of the Pay Panel and of their right of appeal.

The Pay Panel is responsible for:

- Taking decisions regarding the pay of the deputy and assistant head teacher(s), classroom teachers and support staff following the consideration of the recommendations of appraisers and the advice of the head teacher.
- Taking decisions on the pay of the Headteacher following consideration of the recommendations of the governors responsible for the head teacher's appraisal review.
- Submitting reports of these decisions to the Governing Body; and
- Ensuring that the head teacher is informed of the outcome of the decision of the Pay panel and the right of appeal.

The Pay Appeals Panel of the Governing Body is responsible for:

- Taking decisions on appeals against the decision of the Pay Panel in accordance with the terms of the pay appeals procedure set out in the Pay Policy.

Appendix B

### Teachers Standards

<https://www.gov.uk/government/publications/teachers-standards>

Appendix C

### Conduct of Pay Hearings

The procedure at the hearing will normally be as follows:

1. The hearing will be conducted by either the Pay Panel or Pay Appeal Panel of the Governing Body as appropriate.
2. The Panel be advised/supported by an HR Adviser.
3. The Chair of the Panel will satisfy himself/herself that the all those present understand the purpose of the hearing.
4. The employee or his/her representative will be invited to present their case.
5. The management representative will be given the opportunity to question the employee or his/her representative.
6. The management representative will be invited to respond to the employee's case.
7. The employee and/or representative will be given the opportunity to question the management representative.
8. At any stage during the hearing any member of the Panel and any adviser(s) may ask questions of the employee, their representative or the management representative, as they may consider appropriate in order to ascertain the facts and arguments.
9. The employee or their representative will then be invited to make a closing statement not introducing any new material.
10. The management representative will be given the opportunity to make a closing statement also without introducing any new material.
11. Both parties will withdraw to allow the Panel to review and consider the evidence and arguments in conjunction with any advisers.
12. The Panel will then recall both parties to inform them of their decision. The decision will normally be announced personally to the parties as soon as it is possible on the day of the hearing. If it is not possible to make a decision immediately the parties will be informed of this. The decision will be confirmed in writing and delivered to the employee either by hand or electronically with a copy to the trade union representative (sent electronically) or work colleague and the management representative.

## Upper pay range applications Guidance

### Eligibility criteria

To be eligible to apply for the UPR, a teacher has progressed to the top of the school's main pay range; has been at the top of the Main Pay Range for at least a year in this school; and is demonstrably working to the UPR career stage standards.

To be eligible to apply for progression within the UPR, a UPS teacher's appraisal outcome confirms that the teacher has met or made demonstrable progress with their individual objectives; their performance over at least two academic years in this school has been highly competent in all elements of the career stage standards; all of their teaching is assessed as at least good with the large majority being outstanding; and that their achievements and contribution to the school are substantial and sustained.

For teachers on the MPR who are also TLR holders, Governors will wish to ensure that the teacher's appraisal confirms that their performance related to the duties for which a TLR payment is made is good.

### Upper pay range criteria

Progression to and within the UPR will be successful where the Pay Panel are satisfied that a teacher;

- is highly competent in all elements of the teachers standards
- by their achievements, can demonstrate a substantial and sustained contribution to this school.

In this school, "**highly competent**" means performance which is not only good but also good enough to provide coaching and mentoring to other teachers, give advice to them to 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.

In this school, "**substantial**" means of real importance, validity or value to the school; play a critical role in the life of 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.

In this school, "**sustained**" means maintained continuously over a long period.

Applicants are also advised to consider and reflect on the Teachers Standards.

### APPLICATION PROCESS

- Teachers may apply to be considered for progression to or within the upper pay range once per year.
- Applications should be submitted to the Headteacher using the form attached as

Appendix F, in advance of their annual appraisal review and a recommendation will be made by 31 October for consideration by the Governing Body Pay Panel

- Applications will be considered by the Governing Body Pay Panel who will also be provided with a copy of the teacher's Appraisal Review Statement which will include the Appraiser's recommendation on progression.
- For applications to the UPR, where a teacher has been assessed as meeting the standards, they will be appointed to the first point on the Upper Pay Range or at a point determined by the Pay Panel.
- If successful, pay awards will take effect from 1 September in the year of application.

## Appendix F

**Application form for progression to or within the upper pay range**  
**APPLICATION FORM**

Name.....

Post.....

*This form should be used by teachers who wish to apply to progress to or within the Upper Pay Range.*

**1. HIGHLY COMPETENT IN ALL ELEMENTS OF THE TEACHERS STANDARDS.**

The Pay Panel will consider your assessment against the teachers standards relevant to your career stage as contained in your Appraisal Review Statement. Please attach a copy of your Appraisal Report.

**2. ACHIEVEMENTS AND CONTRIBUTION**

Please set out below a supporting statement of no more than two sides of A4 describing in your own words and giving examples and supporting evidence of:

- your achievements over the last two years
- how you have developed professionally, and
- your substantial and sustained contribution to school life



Chief Executive Officer	Susan Walters <a href="mailto:ceo@createlearning.co.uk">ceo@createlearning.co.uk</a> 01270 360030
Chair of the Trust	Mark Butcher <a href="mailto:mbutcher@createlearning.co.uk">mbutcher@createlearning.co.uk</a> 01270 360030
Chief Finance Officer	Jenni Goodwin <a href="mailto:cfo@createlearning.co.uk">cfo@createlearning.co.uk</a> 01270 360030
Director of Operations	Kier Glover <a href="mailto:operations@createlearning.co.uk">operations@createlearning.co.uk</a> 01270 360030
Trust Solicitor	Cook Lawyers <a href="http://www.cooklawyers.co.uk">www.cooklawyers.co.uk</a> / 01625 725 000
Clerk to governance	Samuel Jones (Second2None)
Chair of Sandiway LAB	Emma Zouhbi <a href="mailto:ezouhbi@sandiway.cheshire.sch.uk">ezouhbi@sandiway.cheshire.sch.uk</a> Sandiway Primary School, 84 Weaverham Road, Sandiway CW8 2ND
Headteacher at Sandiway Primary School	Deborah Bertram <a href="mailto:head@sandiway.cheshire.sch.uk">head@sandiway.cheshire.sch.uk</a>
Chair of Cuddington LAB	Rose Marsden <a href="mailto:marsden@cuddington.cheshire.sch.uk">marsden@cuddington.cheshire.sch.uk</a> Cuddington Primary School, Ash Road, Cuddington CW8 2NY
Headteacher at Cuddington Primary School	Suzanne Mills <a href="mailto:head@cuddington.cheshire.sch.uk">head@cuddington.cheshire.sch.uk</a>
Chair of Little Leigh LAB	Jaki King <a href="mailto:jking@littleleighprimary.cheshire.sch.uk">jking@littleleighprimary.cheshire.sch.uk</a> Little Leigh Primary School, Shutley Lane, Little Leigh, Northwich CW8 4RN
Headteacher at Little Leigh Primary School	Toni Clarke <a href="mailto:head@littleleighprimary.cheshire.sch.uk">head@littleleighprimary.cheshire.sch.uk</a>
Create Learning Trust Offices	Little Leigh Primary School, Shutley Lane, Little Leigh, Northwich CW8 4RN



