



PLAYLEARNACHIEVETOGETHER

Pay Policy

Approved by the governing body on.....

Play together, learn together, achieve together.

Pay Policy for Springvale Primary School

September 2020



A Introduction

This policy was created after a period of consultation with relevant stakeholders within school. It has been formally adopted by governors and reflects our approach at Springvale Primary School.

B Aims and Principles

The policy is underpinned by the central aims of Springvale Primary and values held by the school community:

C Aims of the school

- Springvale is committed to promoting high standards of academic achievement for all learners in all subjects.
- As a school we will continue to develop and instil key life skills and values in our pupils.
- We will encourage positive relationships and communications between home, our community and the wider world.

In particular, Springvale School has an inclusive approach to our provision. Our aim is always to involve all our children and stakeholders in all areas of the curriculum and school life. In accordance with our **Disability Equality Scheme** we recognise that this may mean making special adaptations or arrangements from time to time for children with specific disabilities. We welcome the involvement of disabled adults in all areas of school life.

D. Statement of Intent

The prime statutory duty of governing bodies in England, as set out in paragraph 21(2) of the Education Act 2002 is to "...conduct the school with a view to promoting high standards of educational achievement at the school." The Pay Policy is intended to support that statutory duty alongside our overarching school ethos.

The Governing Body of Springvale School is ultimately responsible for approving the levels of pay for all staff. In doing so it will act with integrity, confidentiality, objectivity and honesty in the best interests of the school, will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

E. Equality legislation

The Governing Body will comply with relevant equality legislation:

Employment Relations Act 1999

Equality Act 2010

Employment Rights Act 1996

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

The Agency Workers Regulations 2010

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

See 'Governing Body obligations' on page 4 in relation to monitoring the impact of this policy.

F. Equality and performance-related pay

The Governing Body will ensure that its processes are open, transparent and fair. All decisions on staff pay, including performance related pay, will be objectively justified. Adjustments will be made to take account of special circumstances, eg an absence on maternity or long-term sick leave. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.

G Job descriptions

The headteacher will ensure that each member of staff is provided with a job description annually in accordance with the staffing structure agreed by the Governing Body. Job descriptions may be reviewed from time to time, in consultation with the individual employee concerned, in order to make reasonable changes in the light of the changing needs of the school. Job descriptions will identify key areas of responsibility. All job descriptions will be reviewed annually as part of the appraisal process. Where a revised job description involves the teacher in additional responsibilities the Governing Body will assess whether or not this merits a salary review.

H Access to records

The headteacher will ensure reasonable access for individual members of staff to their own employment records. Each member of staff has a personal file in the headteacher's office.

I Appraisal

The Governing Body will comply with The Education (School Teachers' Appraisal) (England) Regulations 2012 concerning the appraisal of teachers. Assessment will be based on evidence from a range of sources (see the school's Appraisal Policy). Although the school will establish a firm evidence base in relation to the performance of all teachers, there is a

responsibility on individual teachers and appraisers to work together. Teachers should also gather any evidence that they deem is appropriate in relation to meeting their objectives, the Teachers' Standards and any other criteria (e.g. application to be paid on Upper Pay Scale) so that such evidence can be taken into account at the review.

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

J Governing Body obligations

The Governing Body has established a sub-committee, the Pay Committee, which considers all matters relating to staff pay. All recommendations of the Pay Committee must be ratified by the full Governing Body prior to implementation.

The Governing Body will determine the annual pay budget on the recommendation of the Pay Committee, taking into account paragraph 22.2(e) of the Document. Depending on the overall budgetary circumstances, it may allocate a percentage of the pay budget to allow the best teachers to make more rapid progress up the pay range.

The Governing Body has delegated its pay powers to the Pay Committee. Any person employed to work at the school, other than the head, must withdraw from a meeting at which the pay or appraisal of any other employee of the school, is under consideration. The head must withdraw from that part of the meeting where the subject of consideration is his or her own pay. A relevant person must withdraw where there is a conflict of interest or any doubt about his/her ability to act impartially.

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

The committee will comprise 3 governors – 2 from the Resources committee and 1 from the Achievement and Learning Committee.

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

The terms of reference for the Pay Committee will be determined from time to time by the Governing Body.

The Governing Body will fulfil its obligations to:

- **Teachers:** as set out in the School Teachers' Pay and Conditions STPCD (STPCD) and the Conditions of Service for School Teachers in England and Wales (commonly known as the 'Burgundy Book').
- **Support staff:** as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book) or any LA pay/grading system.

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

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

K Headteacher obligations

The headteacher will:

- develop clear arrangements for linking appraisal to pay progression and consult with staff and school union representatives on the Teacher Appraisal and Pay Policies;
- submit any updated Teacher Appraisal and Pay Policies to the Governing Body for approval;
- ensure that effective appraisal arrangements are in place and that any appraisers have the knowledge and skills to apply procedures fairly and in a timely and thorough manner;
- submit pay recommendations to the Pay Committee and ensure the wider support of the full Governing Body, through ratification, has sufficient information upon which to make pay decisions;
- ensure that teachers are informed about decisions reached; and that records are kept of recommendations and decisions made.

L Teachers' obligations

A teacher will:

- engage with appraisal; this includes working with their appraiser to ensure that there is a secure evidence base in order for an annual pay determination to be made;
- keep records of their objectives and review them throughout the appraisal process;
- share any evidence they consider relevant with their appraiser;
- ensure they have an annual review of their performance.

Differentials

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

M Additional/discretionary pay awards

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

In accordance with paragraph 40 of the STPCD and paragraphs 70-80 of the section 3 guidance, the relevant body may make payments as they see fit to a teacher, including a headteacher in respect of:

- continuing professional development undertaken outside the school day;
- activities relating to the provision of initial teacher training as part of the ordinary conduct of the school;
- participation in out-of-school hours learning activity agreed between the teacher and the headteacher or, in the case of the headteacher, between the headteacher and the relevant body;
- additional responsibilities and activities due to, or in respect of, the provisions of services by the headteacher relating to the raising of educational standards to one or more additional schools.

The Pay Committee will make additional payments to teachers in accordance with the provisions of paragraph 46 of the STPCD where advised by the head.

Payment will be calculated on a daily basis at 1/195th of the teacher's actual salary or the pro-rata amount for shorter periods of work (e.g. half a day of classroom cover).

N Pay Protection

Where a pay determination leads or may lead to the start of a period of pay protection, the Governing Body will comply with the relevant provisions of the STPCD and will give the required notification as soon as possible and no later than one month after the determination.

O Annual determination of pay

All teaching staff salaries, including those of the head, deputy head(s) and assistant head(s) will be reviewed annually to take effect from 1 September. The head carries out individual staff appraisals whilst his performance is assessed by two governors assisted by an external assessor. Any recommendations for amendments to pay must be submitted to the Pay Committee for ratification. The Governing Body will endeavour to complete school leaders' and teachers' annual pay reviews by 31st October.. They will, however, complete the process without undue delay. Any increases awarded will be backdated to 1st September.

Unless there are extenuating circumstances, staff who join school during the year, must have served two terms or more by September in order to be considered for a pay increase in September. In terms of maternity a member of staff will be classed as having completed a cycle if they work 2 terms out of 3 in the cycle. Staff who take 0-1.9 terms maternity will have a performance and review cycle that runs for the remainder of the school year and the full year after with targets and pay recommendations adapted accordingly.

P Notification of pay determination

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

Q Appeals procedure

The Governing Body has an appeals procedure in relation to pay in accordance with the provisions of paragraph 2.1(b). It is set out as an appendix to this Pay Policy.

R Headteacher pay

Pay on appointment

For appointments on or after 1 September 2013 the Governing Body will determine the pay range to be advertised and agree pay on appointment, taking account of the full role of the headteacher (Part 6) and in accordance with paragraphs 11 and 6.2(e) and paragraphs 11 to 26 of the section 3 guidance in STPCD:

- the Pay Committee will review the school's headteacher group and the head's Individual School Range (ISR) in accordance with paragraphs 7, 8 and 10.
- if the headteacher takes on permanent accountability for one or more additional schools, the Pay Committee will set an ISR in accordance with the provisions of paragraphs 11.5 and 6.2(e).
- the Pay Committee will have regard to the provisions of paragraph 11.3 and will also take account of any other permanent payments, made to staff within the school to ensure that appropriate differentials are created and maintained between posts of differing responsibility and accountability;
- the Pay Committee will exercise its discretion under paragraph 6.2(e) and pay on any of the bottom four points on the ISR, in order to secure the appointment of its preferred candidate.
- the Pay Committee will consider exercising its discretion to award a discretionary payment under 12.3(b) where the Governing Body consider the school would have difficulty recruiting to the vacant headteacher post;
- the Pay Committee will consider the need to award any further discretionary payments to a headteacher in line with paragraph 12;
- The Pay Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 12.5. However, before agreeing to do so, it will seek the agreement of the Governing Body which in turn will seek external independent advice before providing such agreement.

Serving headteachers

The Governing Body will determine the salary of a serving headteacher in accordance with paragraph 6 of the Document.

- the Pay Committee will review the headteacher's pay in accordance with paragraph 6.2(b) of the STPCD and award up to two performance points where there has been a sustained high quality of performance having regard to the results of the most recent appraisal carried out in accordance with the Appraisal Regulations 2012 and any recommendation on pay progression in the headteacher's most recent appraisal

report.

- the Pay Committee may determine the head's ISR, within the group range for the school, as at 1 September or at any time if they consider it is necessary (paragraph 12 of section 3 guidance);
- if the Pay Committee makes a determination to change the ISR, it will determine the head's ISR within the group range for the school, in accordance with paragraph 11.4; and paragraph 13 of the section 3 guidance;
- if the headteacher takes on temporary accountability for one or more additional schools, the Pay Committee will consider awarding a discretionary payment under paragraphs 12.2 and 12.3(d).
- the Pay Committee will consider the use of discretionary payments, as per the provisions of paragraphs 12.
- The Pay Committee will consider using its discretion, in wholly exceptional circumstances, to exceed the 25% limit on discretionary payments, as set out in paragraph 12.5. However, before agreeing to do so, it will seek the agreement of the Governing Body which in turn will seek external independent advice before providing such agreement.

S Deputy/assistant headteacher pay

Pay on appointment

The Governing Body will determine the pay range to be advertised and agree pay on appointment as follows:

- the Pay Committee will determine a pay range in accordance with paragraph 14 of the Document, taking account of the role of the deputy/assistant headteacher set out at paragraph 49 of the Document;
- the Pay Committee will record its reasons for the determination of the deputy/assistant head pay range, in accordance with paragraph 29 of the section 3 guidance;
- the Pay Committee will exercise its discretion under paragraph 13.3 of the Document, and pay any of the bottom three points on deputy/assistant head pay range, in order to secure the appointment of its preferred candidate.
- the Pay Committee will exercise its discretion under paragraph 41 of STPCD where there are recruitment issues.

Serving deputy/assistant headteachers

- the Pay Committee will review pay in accordance with paragraphs 13.2 and award up to two points where there has been sustained high quality of performance having regard to the results of the recent appraisal, and to any recommendation on pay progression recorded in the deputy/assistant head's most recent appraisal report;

- the Pay Committee will review and, if necessary, re-determine the deputy/assistant head pay range where there has been a significant change in the responsibilities of the serving deputy/assistant headteacher (paragraph 29 of section 3 guidance);
- the Pay Committee may determine the deputy/assistant head pay range at any time in accordance with paragraph 29 of the section 3 guidance pursuant with the discretionary provisions of that paragraph and to maintain differentials;

T Acting allowances

Acting allowances are payable to teachers who are assigned and carry out the duties of head, deputy head or assistant head in accordance with paragraph 29 of the Document. The Pay Committee will, within a four week period of the commencement of acting duties, determine whether or not the acting post holder will be paid an allowance. In the event of a planned and prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

Any teacher who carries out the duties of head, deputy head, or assistant head, for a period of four weeks or more, will be paid at an appropriate point of the head's ISR, deputy head range or assistant head range, as determined by the Pay Committee. Payment will be backdated to the commencement of the duties.

U Classroom teachers

Pay on appointment

The Governing Body will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range, such as the Governing Body determines, having regard to:

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

The Governing Body will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of its choice (see page 14, 'Recruitment and Retention Incentive Benefits').

Pay determinations for existing main pay range teachers

The Pay Committee will use the reference points identified in the applicable STPCD (School Teachers Pay and Conditions Document).

Appraisal objectives will become more challenging as the teacher progresses up the main pay range.

To move up the main pay range, one annual point at a time, teachers will need to have made good progress towards their objectives and have shown that they are competent in all elements of the Teachers' Standards. Teaching should be consistently 'good', as defined by the School's Leadership team.

If the evidence shows that a teacher has exceptional performance, the Governing Body will consider the use of its flexibilities to award enhanced pay progression. Teaching should be consistently 'outstanding', as defined by the School's Leadership team.

Judgments will be properly rooted in evidence. As a teacher moves up the main pay range, this evidence should show:

- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher, eg behaviour management or lesson planning
- an increasing contribution to the work of the school
- an increasing impact on the effectiveness of staff and colleagues

Further information, including sources of evidence is contained in the school's Appraisal Policy.

The Pay Committee will be advised by the headteacher in making all such decisions. Any decision (i.e. no movement, one point, more than one point) will be clearly attributable to the performance of the teacher in question. The Pay Committee will be able to justify its decisions.

Applications to be paid on the Upper Pay Scale (see Appendices 2-5)

Any qualified teacher can apply to be paid on the Upper Pay Scale. If a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPS in that school(s). This school will not be bound by any pay decision made by another school.

Appendix 2 sets out the threshold expectations for posts at Springvale School whilst Appendices 3,4 and 5 deal with specific progress to UPS1,2 and 3 respectively.

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

In order for the assessment to be robust and transparent, it will be an evidence-based process only. Teachers therefore should ensure that they build a mainly paper evidence base to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent, through sickness, disability or maternity, may cite written evidence from a 3 year period before the date of application in support of their application.

Process:

One application may be submitted annually. The closing date for applications is normally October 31st each year; however, exceptions will be made in particular circumstances, eg those teachers who are on maternity leave or who are currently on sick leave. The process for applications is:

- Complete the school's application form (appendices 3-5);
- Submit the application form and supporting evidence to the headteacher by the cut-off date of October 31st
- You will receive notification of the name of the assessor of your application within 5 working days;
- The assessor will assess the application, which will include a recommendation to the Pay Committee of the relevant body;
- The application, evidence and recommendation will be passed to the headteacher for moderation purposes, if the headteacher is not the assessor;
- The Pay Committee will make the final decision, advised by the headteacher;
- Teachers will receive written notification of the outcome of their application by December 31st. Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement in order to meet the relevant criteria.
- Successful applicants will move to the minimum of the UPS, backdated to 1st September.
- Unsuccessful applicants can appeal the decision. The appeals process is set out in Appendix 1 to this Pay Policy.
- An unsuccessful applicant can apply again the following year.

Assessment Criteria: (see Appendix 2)

The school will apply the conditions in paragraph 19 of the STPCD 2014 and the teacher will be required to meet the criteria set out in paragraph 15.2 of the STPCD 2014, namely that:

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

In this school, this means:

“highly competent”: the teacher's performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers' Standards in the particular role they are fulfilling and the context in which they are working.

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

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

Further clarification relating to our school’s UPS 1 expectations can be found in Appendix 2.

Further information, including information on sources of evidence is contained within the school’s Teacher Appraisal Policy.

Subsequent Progression beyond UPS1 (see Appendices 4 and 5)

Teachers already on UPS1 or UPS2 can apply to progress to the next level if they feel they meet the criteria for UPS 2 or UPS3. Anyone wishing to be considered for this should inform the headteacher. Ordinarily we would expect a minimum of two years between progression from UPS1 to 2 or UPS2 to 3.

Once through the threshold, teachers who feel they meet the criteria for UPS 2 or 3 and would like to be considered for this need to draw this to the attention of the headteacher.

Process

The process to be followed by applicants is the same as that for applicants seeking to pass through the threshold to the UPS and is set out on page 10 and 11.

Assessment Criteria and Pay determinations (see Appendices 2 and 3)

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

- paragraph 19 and the criteria set out in paragraph 15.2 of the STPCD 2014;
- the evidence base, which should show that the teacher has had successful appraisals during the relevant period and has made good progress towards objectives and be working at the next post threshold level
- evidence that the teacher has maintained the criteria set out in paragraph 18.2, namely that the teacher is highly competent in all elements of the relevant standards; and that the teacher’s achievements and contribution to the school are substantial and sustained. The meaning of these criteria is set out in the section of this policy entitled, “Assessment Criteria” above.
- The performance of the teacher relative to the UPS 2 and UPS3 standards set out in Appendix 2.

Pay progression on the Upper Pay Range will be clearly attributable to the performance and competencies of the individual teacher. The Pay Committee will be able to objectively justify its decisions. A decision can be appealed by a member of staff- see Appendix 1.

Where it is clear from the evidence that the teacher’s performance is exceptional, in relation to the criteria set out above, and where the teacher has met or exceeded their objectives,

the Pay Committee may use its flexibility to decide on enhanced progression from the minimum to the maximum of UPS. Teaching should be consistently 'outstanding' as defined by Ofsted grade descriptors.

Further information, including sources of evidence is contained within the school's Appraisal Policy.

The Pay Committee will be advised by the headteacher in making all such decisions.

Teaching and Learning Responsibility (TLR) points

The Pay Committee may award a TLR to a classroom teacher in accordance with paragraph 24 of the STPCD and paragraphs 31 to 37 of the section 3 guidance. TLR 1 or 2 will be for clearly defined and sustained additional responsibility in the context of the school's staffing structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 24.4.

The Pay Committee may award a TLR3 of between the minimum and maximum in the applicable STPCD for clearly time-limited school improvement projects, or one-off externally driven responsibilities as set out in paragraph 24.3. The project/responsibility will be focused on teaching and learning; require the exercise of a teacher's professional skills and judgement and have an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils. The Governing Body will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of a TLR3.

V Part-time Employees

Teachers: The Governing Body will apply the provisions of the STPCD in relation to part-time teachers' pay and working time, in accordance with paragraphs 36, 37 and 51, and paragraphs 61-69 and 86-94 of the section 3 guidance.

The head and Governing Body will use their best endeavours to ensure that all part-time employees are treated no less favourably than a full-time comparator.

Teachers employed on a short-notice basis

Such teachers will be paid in accordance with paragraph 38 of the Document.

W Support staff

The Pay Committee notes its powers to determine the pay of support staff in accordance with paragraph 17 and 29 of the School Staffing (England) Regulations 2009 and Chapter 7 of the associated guidance. The Pay Committee will determine the pay grade of support staff on appointment in accordance with the scale of grades, currently applicable in relation to employment with the LA, which the Pay Committee consider appropriate for the post. In reaching its determination, the Pay Committee will consider the advice of the LA, but will not consider itself bound by that advice. The appeals process is set out in the appendix to this policy.

X Recruitment and retention incentive benefits

The Governing Body can award lump sum payments, periodic payments, or provide other financial assistance, support or benefits for a recruitment or retention incentive (paragraph 41 of the STPCD and paragraphs 81-84 of the section 3 guidance).

The Pay Committee will consider exercising its powers under paragraph 41 of the STPCD where they consider it is appropriate to do so in order to recruit or retain relevant staff. It will make clear at the outset, in writing, the expected duration of any such incentive or benefit, and the review date after which they may be withdrawn.

The Governing Body will, nevertheless, conduct an annual formal review of all such awards.

In relation to a headteacher, any 'additional payments' under this section will form part of the 25% limit on the use of all discretions, unless the Governing Body choose to use the 'wholly exceptional circumstances' discretion. The Governing Body will not award a recruitment or retention payment under paragraph 41 if they have already made an award under paragraph 12.3(c) or have taken such reason (recruitment or retention) into account when determining the ISR under an earlier STPCD (paragraph 12.1 of the Document).

Y Salary sacrifice arrangements

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and his/her gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 43 of the Document.

Appendix 1

BMBC MODEL APPEALS PROCEDURE

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

As part of the overall appraisal process, a pay recommendation is made by the appraiser/reviewer (normally the line manager) and discussed with the teacher at the Review Meeting prior to being submitted to the school's Pay Committee or relevant decision-making body. Written details of and the reasons for the pay recommendation will be given to the teacher.

At this particular stage of the pay determination process, if the teacher wishes to better understand the rationale for the pay recommendation or bring any further evidence to the attention of the appraiser/reviewer, they should be given the opportunity to do so before the final pay recommendation is drafted in the appraisal report. The nature of any subsequent appraisal and pay discussion will be informal and therefore representation (on either side) is not necessary nor would it be appropriate. At the conclusion of any further discussion, the pay recommendation may be adjusted or it may remain the same; the appraisal report will be updated to reflect the discussion.

If a teacher believes that the final pay recommendation falls short of their expectations and they wish to seek a further review of the information that affects their pay, they may wish to formally appeal against the decision, utilising the formal Appeal Hearing Procedure. Appeal Hearings against pay decisions must satisfy the dispute resolution requirements of employment law (i.e. Part 4 of the Trade Union and Labour Relations (Consolidation) Act, 1992) and the ACAS Code of Practice.

Appeal hearing procedure

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially.

Guidance

- When a teacher feels that a pay decision is incorrect or unjust, they may appeal against that decision, especially when there is new evidence to consider.
- Teachers / headteachers should put their appeal in writing to either the headteacher or the Governing Body; their appeal should include sufficient details of its basis.
- Appeals should be heard without unreasonable delay and at an agreed date, time and place.
- Employees have a statutory right to be accompanied at any stage of an appeal hearing by a companion who may be either a work colleague or a trade union representative.

Appeal Procedure Steps: Informal Stage

As part of the pay determination process, the line manager ("the recommendation provider") will make a recommendation to the "the decision maker" (the person/s or committee responsible for approving the pay recommendation) supported by relevant assessment evidence. On determining a teacher's pay, "the decision maker" will write to the teacher

advising them of the pay decision, the reasons for it and will, at the same time, confirm their right to appeal the decision to “the decision maker”.

If the teacher wishes to appeal the decision, they must do so in writing to “the decision maker”, normally with 10 school working days or within a mutually agreed alternative timescale. The appeal must include a statement, in sufficient detail, of the grounds of the appeal. In the event that an initial appeal is raised, “the decision maker” must then arrange to meet the teacher to discuss the appeal. “The recommendation provider” should also be invited to the meeting to clarify the basis for the original recommendation.

“The decision maker” will reconsider the decision in private and write to the teacher to notify them of the outcome of the review and of the teacher’s right of appeal to the Governing Body. If the teacher wishes to exercise their right of appeal, they must write to the Clerk of the Governing Body at the earliest opportunity and normally within 10 school working days, including a statement of the grounds of the appeal and sufficient details of the facts on which they will rely.

This will invoke the Formal Stage of the Appeal Procedure.

Appeal Procedure Steps: Formal Stage

On receipt of the written appeal, the Governing Body will establish an Appeal Committee that should consist of three governors, none of whom are employees in the school or have been previously involved in the relevant pay determination process and convene a meeting of the Appeal Committee at the earliest opportunity and no later than 20 school working days of the date on which the written appeal was received. Both “the recommendation provider” and “the decision maker” will be required to attend the meeting.

The Chair of the Appeal Committee will invite the employee to set out their case. Both “the recommendation maker” and “the decision maker” will also be asked to take the committee through the procedures that were observed in their part of the pay policy determination process.

Following the conclusion of representations by all relevant parties, the Appeal Committee will then consider all the evidence in private and reach a decision. The Appeal Committee will write to the teacher notifying them of their decision and the reasons for it. Other attendees at the meeting will also be notified of the decision. The decision of the Appeal Committee is final.

The Modified Procedure

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

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

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

Appendix 2

Post Threshold expectations for Springvale Primary School

(Note: each level assumes all aspects of the previous levels are present)

UPS 1	UPS 2 (+ UPS 1 criteria)	UPS 3 (+UPS 1 and 2 criteria)
To meet the Teachers' Professional Standards in a way commensurate with a senior member of staff	Teaching, using the school's monitoring record, is outstanding on a best fit basis and pupil progress over time is consistently above that expected.	Teaching, using the school's monitoring record, is outstanding in all areas and pupil progress over time continues to be consistently above that expected.
Typically, nearly all children achieve expected progress and a significant number exceed this.	To proactively seek out good practice to support your own improvement, and to successfully implement new ideas.	To identify areas for whole school improvement, leading in the proactive investigation, research and dissemination of good practice
All aspects of teaching are good over time, with many being outstanding.	To take initiative to proactively investigate, research and collaboratively disseminate good practice.	To act as a respected source of guidance, effectively ensuring that Improvements brought about in other teachers' practice are embedded
Working relationships with colleagues show a commitment to helping them improve professionally	To represent a high quality source of advice on teaching and learning issues – being someone who experienced colleagues will turn to.	To play a critical role in the life of the school, and in particular to lead and foster collegiate school improvement activity
To contribute to school improvement with a positive voice	To represent a respected example of commitment to the school and its goals– being perceived by parents beyond your own class and other stakeholders as a teacher of influence to whom they could turn	To represent a source of collegiate leadership in delivering the School's improvement or development goals.
To lead aspects of professional development of others, helping to improve practice.	To proactively take a holistic approach to delivering the School's improvement or development goals, always seeing the "bigger picture"	To act as an ambassador for the school in its relations with all its stakeholders as required and in particular on teaching and learning issues.
	To work consistently to promote the School in a positive light with all its stakeholders.	To make a <i>distinctive contribution</i> , to school.

Red – personal teaching/Blue – influence on others/Green – broader role/Black - other

Appendix 3
Application form to progress to UPS 1

	Criteria	Evidence	Headteacher's comments
Teaching	To meet the Teachers' Professional Standards in a way commensurate with a senior member of staff	Please include relevant data over two years and any other supporting evidence (lengthy discussion relating to professional standards is not required):	
	Typically, nearly all children achieve expected progress and a significant number exceed this.		
	All aspects of teaching are good over time, with many being outstanding.		
Working with others	To lead aspects of professional development of others, helping to improve practice.	Give examples of how you have led school improvement in your area(s) of responsibility	

	To contribute to school improvement with a positive voice		
	Working relationships with colleagues show a commitment to helping them improve professionally.	In what ways have you helped colleagues improve?	
Other	Evidence of successful appraisal over two years.	Evidence of targets met?	
	Performance has been substantial and sustained		

Appendix 4
Application form to progress to UPS2

	Criteria	Evidence	Headteacher's comments
Teaching	Teaching using the school's APP for teachers grid, is outstanding on a best fit basis and pupil progress over time is consistently above that expected.	Please use the school APP for teachers grid to self-assess your teaching and outline pupil progress over two years at least.	
	To proactively seek out good practice to support your own improvement, and to successfully implement new ideas		
Working with others	To take initiative to proactively investigate, research and collaboratively disseminate good practice.	What have you done to develop knowledge of good practice and to bring this into school in order to help improve standards across school.	
	To represent a high quality source of advice on teaching and learning issues – being someone who experienced colleagues will turn to.		
Other	To represent a respected example of commitment to the school and its goals– being perceived by parents beyond your own class and other stakeholders as a teacher of influence to whom they could turn	How are you perceived by other teachers, by other stakeholders and by parents? What have you done to promote the school values and ethos in the wider community and in relation to supporting additional school events?	

	To proactively take a holistic approach to delivering the School's improvement or development goals, always seeing the "bigger picture"		
	To work consistently to promote the School in a positive light with all its stakeholders.		
	Evidence of successful appraisal over two years.	Evidence of targets met?	
	Performance has been substantial and sustained		

Appendix 5
To progress from UPS2 – UPS 3

	Criteria	Evidence	Headteacher's comments
Teaching	Teaching, using the school's APP for teachers grid, is outstanding in virtually all areas and pupil progress over time continues to be consistently above that expected.	Please use the school APP for teachers grid to self-assess your teaching and outline pupil progress over two years at least.	
Working with others	To identify areas for whole school improvement, leading in the proactive investigation, research and dissemination of good practice	In what areas have you influenced the direction of school improvement? What has been your contribution to making this happen?	
	To act as a respected source of guidance, effectively ensuring that improvements brought about in other teachers' practice are embedded.	What long term improvements in the work of others can you use as evidence that you have embedded improvements? In what way is your influence in school 'critical'?	
	To play a critical role in the life of the school, and in particular to lead and foster collegiate school improvement activity		
	To represent a source of collegiate leadership in delivering the School's improvement or development goals.		

	To act as an ambassador for the school in its relations with, all its stakeholders and other schools as required and in particular on teaching and learning issues.		
Other	To make a <i>distinctive contribution</i> , to school	In what particular way(s) would you be difficult to replace?	
	Evidence of successful appraisal over two years.	Evidence of targets met?	
	Performance has been substantial and sustained		