

Nottinghamshire School Pay Policy

September 2020

HR Advice, Support and Training Service

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SCHOOL PAY POLICY – Updated September 2020

Introduction

- 1.0 The Governing Body of [John Clifford School](#) adopted this Pay Policy on [14th October 2020](#). The [FGPP committee](#) of the governing body will review and monitor the impact of the pay policy annually with the head teacher. The next review will take place in [October 2021](#)
- 1.1 The governing body has adopted the policy set out in this document along with the guidance and toolkit to provide an agreed framework for the exercise of its powers and discretions in relation to all staff employed in the school and paid from within the school budget.
- 1.2 The governing body understands its responsibilities and is committed to taking pay progression decisions in accordance with the principles of public life as listed in DfE guidance; objectivity, openness and accountability.
- 1.3 The governing body recognises the legal requirements placed upon them by the Education Act 2002 and subsequent legislation together with the current School Teachers' Pay and Conditions Document (STPCD) and the National and Local Conditions of Service for National Joint Council staff and the Education (School Teacher Appraisal) (England) Regulations 2012. The provisions of the STPCD are not statutory for academy schools.
- 1.4 The governing body delegates to [FGPP committee](#) the responsibility for approving decisions relating to performance pay progression linked to annual appraisal of performance in line with this policy. Performance pay progression for teachers is referred to throughout this policy as "pay progression" and is defined as both incremental progressions, where applicable, and award of an annual pay uplift determined by the governing body.
- 1.5 The policy set out in this document has been agreed by the appropriate Committee of the governing body supplemented by staff representatives and other Governors - as appropriate. The governing body is aware that full consultation with the recognised trade unions has been undertaken by the HR Service. Staff and school-based representatives have been consulted and informed. The policy will be reviewed annually by the same representative group.
- 1.6 The governing body will take into consideration advice and guidance from the local authority relating to the school pay policy.
- 1.7 The policy is based on a 'whole school' approach to pay issues with pay decisions taken in the full consideration of the resources available within the overall school budget. The governing body will identify and fully consider the implications of all pay and pay progression decisions. **In doing so the governing body will ensure that there is sufficient provision within the budget for anticipated incremental progression for the following year as a result of undertaking annual pay reviews.**
- 1.8 The governing body will use the School Improvement Plan and the outcome from the appraisal process as the starting point for its consideration of school pay issues. The governing body will ensure that all appropriate arrangements for linking appraisal to pay are securely in place, will be applied consistently, recorded appropriately and that all pay progression decisions can be objectively justified.
- 1.9 The governing body should jointly approve the Nottinghamshire School Pay Policy, Guidance and Toolkit 2020 which collectively form part of the overall policy. The policy

should also be considered in context with the agreed school Appraisal Policy and Guidance September 2020 and School Capability Policy.

- 1.10 The governing body recognises its responsibility to consider how to apply cost of living uplifts recommended by the School Teachers Review Body (STRB) and confirmed by the School Teachers' Pay and Conditions Document (STPCD). Any uplift to pay points and allowances for teachers within the national pay framework is not automatic and will take account of and be merited by performance. The governing body will consider cost of living awards for support staff approved by the National Joint Council (NJC).
- 1.11 The Pay Committee and Pay Appeals Committee Terms of Reference are included in the Toolkit, Appendices 13 and 14 respectively.
- 1.12 Due to the complexities of this area of employment and education law, governing bodies are strongly advised to adopt the attached policy without amendment. Should, exceptionally, a governing body seek to amend the recommended policy, they will need to consult/negotiate any changes collectively with all the secretaries of the recognised trade unions and confirm any amendments to the local authority. Governing Bodies are strongly recommended to seek advice from the HR Service in these circumstances.

Consultation and Agreement with the Recognised Trade Unions

- 1.13 The Nottinghamshire School Pay Policy, Toolkit and Guidance is recommended for adoption by all community, voluntary aided, voluntary controlled, academy, foundation, and trust schools who purchase their HR Service from Nottinghamshire County Council.
- 1.14 The document has been agreed with the following Nottinghamshire recognised trade unions: ASCL; NAHT; UNISON and GMB. The NASUWT and the NEU (previously agreed by ATL) contributed to detailed discussions and have made contributions that have been incorporated into this policy. Neither union, however, agree the policy nor the guidance as the documents do not conform to their own national model policy.

Equalities and Equal Opportunities

- 2.0 The governing body recognises its legal responsibilities to staff under the Equality Act 2010 and this policy will ensure equality and fairness regardless of race, sex (gender), sexual orientation, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership, disability or age. **The Trade Union and Labour Relations (Consolidation) Act 1992, states that members of a trade union or trade union representatives have the right not to be victimised or treated unfairly because of their trade union membership or official trade union duties.** All pay related decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. In doing so the governing body will ensure that all pay decisions and processes are open, transparent and fair.
- 2.1 The governing body is also aware of its responsibilities and those of the local authority in respect of the Equal Pay Act 1970 which requires that men and women have a right to equal treatment and equal pay for work of equal value. In this regard, the governing body will apply the principles and requirements of the Nottinghamshire Job Evaluation Scheme (non-local authority schools should state the scheme applicable) for all support staff grading and pay decisions.

- 2.2 The governing body is aware of its responsibilities under the Freedom of Information Act 2000 and to make available this policy to all staff at the school.

Impact of Absence during the Appraisal Cycle

- 3.0 Where absences occur during the appraisal cycle, it is important that Head Teachers (for teachers) and the Chair of Governors (in respect of the head teacher) seek advice from the HR Service. If the Head teacher is absent for a prolonged period, the governing body must ensure that robust arrangements for the management of the appraisal cycle for all staff in the school are put in place.
- 3.1 Where employees have been absent for long periods e.g. due to maternity leave or disability related sickness absence, appropriate consideration and reasonable adjustments will be made towards the meeting of criteria for pay progression. The governing body will consider the circumstances of each case and the exact adjustments will be made on a case-by-case basis. Where other sickness absence occurs during the appraisal cycle the head teacher/governing body will assess the extent to which the teacher has demonstrated that the criteria for pay progression have been met at the annual appraisal review.

Aims of the Policy

- 4.0 The aims of the governing body's Pay Policy are as follows;
- a) To secure good teaching and good, or very good, progress in all pupil's learning;
 - b) To improve the quality of teaching and learning at the school;
 - c) To underpin the school's improvement plan and appraisal policy and to recognise the benefits of continuing professional development for all employees;
 - d) To seek to ensure that all the staff in the school (both teaching and support staff) are skilled professionals who are valued and receive proper recognition and reward for their contribution to the school;
 - e) To ensure accountability, transparency and objectivity so that pay decisions are fair and properly recorded;
 - f) To provide a clear framework for all pay decisions to assist the school recruit and retain employees and provide the basis for sound financial and staff planning which minimises the risk of grievance and discrimination complaints;
 - g) To use the flexibilities inherent in the national conditions of service for all staff in a positive and constructive fashion within the resources available; and
 - h) To take account of advice issued by the local authority, the DfE, NEOST and the recognised trade unions for teaching and support staff and other appropriate advice.

School Pay Structure, Job Descriptions and the Job Evaluation Scheme

- 5.0 All staff will be paid in accordance with the statutory provisions of the STPCD and the 'Burgundy Book' or the National Joint Council 'Green Book' conditions of service and NJC pay scales; and the pay ranges determined by the school.
- 5.1 The current STPCD sets out details of the statutory uplift to the minima and maxima of the national pay ranges and allowances for teachers. The governing body has considered how to apply this uplift to salary points in between the statutory minima and maxima on the pay ranges of classroom teachers and members of the leadership group.
- 5.2 The governing body has adopted the MPR salary table set out in Toolkit Appendix 4 **Nottinghamshire School Pay Tables 2020**, alongside Table C, which reflects all other teacher pay ranges and allowances. (Refer to Toolkit Appendix 4 - **Nottinghamshire School Pay Tables 2020 and Guidance paragraph 6.2**).

- 5.3 In reaching their decision the governing body has considered the separate advice issued by the HR Service in the Teachers' Pay Award 2020 letters dated 26 August and other advice from the HR Service.
- 5.4 For support staff the governing body applies the Nottinghamshire County Council NJC Pay Scales as published on the NCC website.
- 5.5 The governing body will ensure that all support staff will be paid in accordance with the grade determined by the school's Job Evaluation (JE) scheme. The establishment of new or re-grading of existing support staff posts will be undertaken in line with the JE scheme adopted by the governing body. The head teacher will be responsible for submitting relevant information to the NCC JE Team for any new or changed posts and the governing body will undertake an annual audit to ensure all posts have been properly assessed and are paid at the appropriate grade.
- 5.6 The head teacher will ensure that all employees are provided with a job description and will retain a copy in school with the staffing structure. The job description will be kept up to date and identify the appropriate grade and duties of the post and any additional allowances or payments applicable to each post.
- 5.7 Job descriptions will be reviewed when necessary to reflect the current duties, responsibilities and role. Once a grading has been determined for a support staff post, it will only be reconsidered where duties and or responsibilities change in line with the job evaluation scheme. Where the governing body considers that the duties and responsibilities for a particular post have substantially changed this will be considered as part of the annual review process.
- 5.8 Where the governing body determines changes to the staffing structure of the school are required, implementation will only occur following consultation with the staff affected and the recognised trade unions. In the case of changes to individual job descriptions, every attempt will be made to secure the agreement of the member of staff concerned prior to the changes being introduced.
- 5.9 The head teacher will undertake a pay audit each year as part of the budget planning process to ensure that all staff are paid at the correct rate according to their grade to ensure there are no over or underpayments (See Paragraph 24.00)

Determining the Pay Range and Allowances

- 6.0 Recruitment and selection of all staff will be undertaken in line with the governing body's agreed recruitment and selection policy. Where the governing body intend to make an appointment on a fixed term basis such appointments will be made according to the relevant legislation on the use of fixed term contracts and in line with the local authority advice on the use of such contracts.
- 6.1 The Governing Body will determine and record the pay range and pay band/grade for each vacancy (including supply staff and temporary contract holders) prior to advertising.

Head Teachers

- 6.2 For new head teacher appointments, or for existing posts where responsibilities have changed significantly, the governing body will determine a consecutive seven-point range on the leadership pay range within the school's group size in accordance with the STPCD and this policy. The range will be determined by applying the three-stage process set out

in Toolkit Appendix 1, as required by the provisions of the current STPCD. Where the governing body intends to appoint a new head teacher or review the pay of the existing head teacher it will seek advice from the local authority **HR Service** prior to making this determination. Governors will also take account of the National standards of excellence for head teachers 2015.

- 6.3 For head teacher posts it is expected that the governing body will normally conclude that the unit total score fully captures the complexity and level of challenge of the head teacher role and is the **only** factor required to determine the IPR. The range set will be included in the school structure document and the governing body will document their salary decision using the document in Toolkit Appendix 2a. Once determined the range will only be reviewed if there are significant changes to the unit total score and / or the responsibilities of the post. The governing body will send a copy of the completed Toolkit Appendix 2a form to HR Pay with the payroll salary notification.
- 6.4 The governing body will **consider all** the permanent responsibilities of the role and any specific challenges. The governing body may, therefore, determine that in exceptional circumstances there are additional factors to be considered in the determination of the individual pay range (IPR) for the headteacher over and above that which would be provided by the basic unit total calculation. Where the governing body consider such additional factors, these must form part of the assessment of the IPR as set out in paragraph 6.4 and Toolkit Appendix 1. Once determined the head teachers' IPR will only be reviewed by the governing body where there are significant identifiable changes to the duties or responsibilities of the post.
- 6.5 The IPR for head teachers should not normally exceed the maximum of the head teacher group. However, the IPR may exceed the maximum where the governing body determines that the circumstances specific to the role or the preferred candidate warrant and justify a higher range.
- 6.6 The governing body may determine an additional time limited temporary payment to the headteacher for temporary duties or responsibilities as set out in paragraph 22.0. The governing body will ensure that the maximum of the head teacher's IPR and any temporary payments made under paragraph 10 of the STPCD do not exceed the maximum of the salary for the head teacher group by more than 25%. Where the governing body is considering paying the head teacher a total salary above the maximum of the group size it will seek HR advice before the payment is approved. Where, in exceptional circumstances, the governing body is considering a salary which exceeds the maximum of the group size by more than 25% it recognises that before this additional payment can be approved the governing body must obtain external written advice (from the HR Service) and support its proposal and decision with a business case approved by the full governing body.
- 6.7 Any temporary payment made to a head teacher as set out in paragraph 22.0 is also subject to the overall limits on temporary payments and also subject to the 25% limit of the annual salary which is otherwise payable to the head teacher.
- 6.8 Where the head teacher is appointed as a head teacher of more than one school on a permanent basis the governing body of the head teacher's original school or the new governing body, under the Federation Regulations, will determine the IPR by the application of the total pupil unit score of each school giving a group size for the federation. This revised unit total will be calculated in accordance with paragraphs 6 or 7 of the STPCD. The contractual implications will be confirmed in writing to the head teacher.

- 6.9 Where a head teacher is appointed as a head teacher of more than one school on a temporary basis under the Collaboration Regulations, the collaborating body may pay a temporary allowance to the head teacher in respect of the additional responsibility. The collaborating body will calculate the temporary IPR range based on the combined unit total calculation. The relevant body will record its decision, taking advice as necessary and ensure that the temporary contractual implications are confirmed in writing.

Deputy Head Teacher and Assistant Head Teachers

- 6.9.1 For new appointments to deputy headship and assistant head teachers or for existing posts where responsibilities have changed significantly, the governing body will determine a five-point range on the Leadership Pay Range according to the three-stage process set out in Toolkit Appendix 1. The governing body will determine the five-point individual leadership pay range (IPR) in line with the pay policy, the STPCD and guidance provided by the local authority. The governing body will document this decision at each stage (using Toolkit Appendix 2a) and the pay range(s) will be included in the school structure document. The governing body will consider the duties, responsibilities and challenges of the individual post and give consideration to pay differentials within the existing school structure. The governing body will also ensure that there is no overlap with the head teacher's IPR. Once determined the salary and range will only be reviewed when there are significant changes to the responsibilities of the leadership post incorporated in the revised job description. Governors will also take account of the National Standards of Excellence for Head Teachers 2015 as applicable to senior leaders in the school.

Other Teachers

- 6.11 For all other teachers there are four pay ranges;

- The main pay range - (MPR);
- The upper pay range - (UPR);
- The leading practitioner Range - (LPR); and
- The unqualified teacher range - (UTR).

For teachers appointed to the MPR, UPR, LPR and UTR, the governing body recognises its responsibility for determining the salary range/pay band between the minimum and maximum of the relevant scale as set out in the STPCD.

Allowances

- 6.12 The governing body will, in line with the school's staffing structure, ensure the appropriate teaching and learning responsibility payments (TLRs) are assigned to teaching posts (see paragraph 17).
- 6.13 The governing body recognises its responsibility for the mandatory payments of a special needs allowance in respect of the teaching of pupils with special educational needs (see paragraph 18).
- 6.14 The advertisement for teaching posts will specify the pay band within the range and any allowances applicable.

Leading Practitioners

- 6.15 The governing body recognises that it may appoint to the post of leading practitioner, in line with the conditions set out in the STPCD, for the primary purpose of modelling and leading improvement of teaching skills. The governing body will determine a five-point

individual leadership pay range on the lead practitioner pay range for each leading practitioner role established and record the basis of each decision.

- 6.16 An example job description is included in Toolkit Appendix 12. Any such appointment will be made in line with advice from the local authority **HR Service** and further consideration of the implications for the school. A leading practitioner may not be awarded a TLR payment. Appointment to this post will take place where those duties fall outside the criteria for the payment of a TLR.

Salary on Appointment

- 6.17 The appointing panel will determine the starting salary to be offered to the successful candidate.
- 6.18 The appointment to all leadership and leading practitioner posts will be to the minimum point of the pay range of the post, unless there is evidence to support there are exceptional circumstances for not doing so.
- 6.19 The appointment to MPR and UPR posts will normally be to the minimum point within the pay band advertised. Appointments to the UTR will normally be to the minimum point of the range.
- 6.20 Appointments to support staff roles will normally be to the minimum point within the pay grade **as determined by the JE Scheme**.

Recruitment and Retention Payments – Classroom Teachers Only

- 6.21 Recruitment and retention payments may only be paid to classroom teachers paid on the MPR, UPR, UTR and Lead Practitioner Range and not to any other leadership posts. The governing body may make payments or provide such other financial assistance, support or benefits to teachers as it considers necessary, as an incentive for the recruitment of new teachers and the retention of existing teachers. The governing body will consider any such payments in the following circumstances; (not an exhaustive list)
- a) For posts in known shortages subjects;
 - b) For posts which have previously been difficult to fill;
 - c) To recruit suitably skilled and experienced specialist staff;
 - d) To retain existing staff where the governing body consider that the loss of the teacher would result in recruitment difficulties as set out in (a) and (b) above.
- 6.22 Where the governing body agrees to make a recruitment and retention payment it will determine and set out in writing to the employee the reason, the value, the fixed period for which it will be paid and the review date after which it may be withdrawn. The governing body will ensure that the decision to award a payment is documented will set a date to undertake the review.
- 6.23 **The governing body will not award any recruitment and retention payments.**
- 6.24 All recruitment and retention considerations in respect of leadership posts will be taken into account when determining the respective Individual Pay Range. The governing body recognises that it may not make separate recruitment and retention payments to head teachers or other leadership post holders other than as reimbursement of reasonably incurred relocation costs as set out in the **school's** expenses policy.

Salary Sacrifice Schemes

- 7.0 The governing body has agreed to provide all eligible employees of the school access to the following salary sacrifice arrangements;
- a) Child care voucher scheme, or other child care benefit scheme;
 - b) Cycle or cycle equipment scheme;

Pay Reviews

- 8.0 The governing body adopt the principle that continued good performance at the required standard provides all staff (teachers and support) with an expectation that through appraisal they will progress annually to the maximum point of their respective pay range, (bi-annually for UPR).

Teachers

- 8.1 Teachers will be eligible to be considered for pay progression where they meet the service requirement of a minimum of one year of employment in any academic year. A year of employment for a teacher is interpreted in accordance within the STPCD as at least 26 weeks aggregated reckonable service in the current school year.
- 8.2 The Governing Body will review pay progression of the head teacher, deputy and assistant head teachers, leading practitioners, teachers on the upper pay range and teachers (qualified and unqualified) annually in line with this policy, the Appraisal Policy and STPCD no later than 31 October each year. The head teacher's salary review will be completed by 31 December at the latest. All teachers will be provided with a written annual pay statement setting out their salary and any other financial benefits, including any salary safeguarding arrangements to which they are entitled. A model written pay statement is provided in **Toolkit Appendix 5**.
- 8.3 Pay progression for all teachers, including the head teacher, will be effective from 1 September each year. Where through external factors it has not been possible to meet the timescales set out above, the process will be completed as soon as possible, following consultation with staff and the recognised trade unions.
- 8.4 A salary review may take place at other times of the year to reflect any changes in circumstances or job description(s) that lead to a change in the basis for calculating an employee's pay. A written statement will be completed and given to the employee after any pay review and where applicable will provide information about any salary safeguarding arrangements so that the basis of the pay decision is clearly recorded and confirmed to the employee.
- 8.5 Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will give the required written notification as soon as possible and no later than one month after the date of the safeguarding determination. **(See salary safeguarding paragraph 24 and Toolkit Appendices 6a & 6b).**
- 8.6 The nominated appraiser will make a pay recommendation in the teachers' annual appraisal report for consideration by the head teacher. The process for considering pay progression is set out in paragraphs 9.0 - 9.14.

Support Staff

- 8.7 The governing body will review support staff salaries, bearing in mind the normal incremental date is 1 April. The review for support staff will take place in *(insert date)*.
Problem here with TA vs Other support staff
- 8.8 Support staff will normally receive an annual increment on 1 April each year, until they reach the maximum of the scale. Withholding of increments will only be considered by the governing body where the employee is experiencing performance difficulties and is being monitored within the framework of the governing body's Disciplinary (Capability) Performance of School Staff Procedure.
- 8.9 Employees with less than 6 months service who are appointed, promoted or re-graded between the 1 October and the 31 March will receive their first increment 6 months after their start date in post. All other appointments, promotions or re-graded posts between 1 April and the 30 September will receive an increment on the 1 April the following year.
- 8.10 Performance related pay is not a feature in determining support staff pay progression.

Pay Progression – Teachers

General

- 9.0 The governing body will consider pay progression annually for all teachers, including those paid on the leadership range in accordance with the STPCD, recommendations from the STRB, NEOST and Local Authority's HR service. The governing body must decide whether performance related pay progression assessed through the School Appraisal Policy effective from the 1 September each year will be based on:

- (a) "incremental pay progression" only, or
- (b) "incremental progression" and "pay uplift" combined.

This is set out in Toolkit Appendix 3a paragraph 4 (a) and (b). Where option (b) is agreed by the governing body pay uplift will not be automatic in September 2021, except for those teachers paid on a point equivalent to the statutory minimum or maximum points of their respective pay range. The governing body will be required to make a decision on the pay structure and implementation of the pay award at the end of the 2020/21 appraisal cycle effective from September 2020 on publication of the STPCD 2020. Decisions on performance related pay increases resulting from the outcome of the 2019/20 appraisal cycle will be made in line with the 2019 Pay Policy. **(Governors must refer to Toolkit Appendix 3a, consider paragraph 4 and record their decision)**

- 9.1 All pay progression decisions must be clearly attributable to the performance of all teachers, including leadership, and a written recommendation on pay must be made as part of the teacher's annual appraisal report by the appraiser. In making their decision on pay progression the governing body will have regard to this recommendation. The appraisal process applies to teachers paid on all ranges, including those who have reached the top of their respective pay range so that judgements about salary uplift can be made based on performance. The STPCD enables the governing body to consider accelerated pay progression through the award of additional increments (within the current pay range or IPR only) to high performing teachers based on excellent performance. In applying this provision, the governing body will take into account the overall consistency of performance during the relevant appraisal period.
- 9.2 To ensure fairness and consistency the governing body will ensure that appraisal objective setting is rigorous and undertaken in line with the appraisal policy. Performance assessments for all teachers will be properly rooted in evidence. Fairness will be ensured

through quality assurance, moderation, annual monitoring and the application of the impact assessment on the pay policy and pay decisions.

Leadership

- 9.3 The **head teacher, deputy head teacher and assistant head teacher** will be considered for pay progression annually within their Individual Pay Range (IPR) effective from 1 September each year.
- 9.4 The review of performance and pay progression for members of the leadership group will be determined subject to the following criteria;
- a) The decision whether or not to award pay progression must be clearly attributable to individual performance as assessed through the school pay and appraisal policy;
 - b) A recommendation on pay progression must be made in writing as part of the individual's appraisal statement, and in making this decision the governing body will have regard to this recommendation; and
 - c) The assessment will be based on the results of the most recent appraisal review. The recommendation for pay progression will depend on there being a successful appraisal review of performance in the light of previously agreed appraisal objectives, the specifically related success criteria and an annual review of impact against the relevant Leadership and Teachers' Standards. In accordance with the STPCD the head teacher and other leaders paid on the LPR must demonstrate a **sustained high quality of performance** with particular regard to the quality of leadership and management; pupil progress; the quality of teaching and the behaviour and safety of pupils at the school. The governing body may determine that there should be no pay progression if performance has not been of a "sustained high quality". In any case, there should be no movement up the pay spine unless the criteria as outlined in paragraph 11.2 (a) to (f) of the current STPCD are met.
- 9.5 To ensure that there has been an overall sustained high quality of performance, the annual appraisal review for the leadership group will need to assess whether the teacher has grown professionally by developing their leadership role, including their impact on the effectiveness of the work of others and associated pupil progress, and (where relevant) their teaching experience.
- 9.6 Where agreed at the start of the appraisal cycle it is recognised that up to two performance points can be awarded in any one school year for members of the leadership group. This is subject to the setting and achievement of previously agreed staged criteria for one increment and more challenging criteria for two increments. The objectives must be such that there is clear evidence to demonstrate that objectives have been exceeded and, where justified by evidence, consistently excellent performance is demonstrated over and above that set out in 9.4 (c) above.
- 9.7 In reviewing the head teacher's performance, the governing body will employ the services of an external advisor.

Classroom Teachers

- 9.8 Teachers on the MPR, UPR and UTR are eligible to be considered for pay progression annually (bi-annual for UPR) based on individual performance. The governing body has adopted the following framework for pay progression.

- 9.9 All teachers can expect to receive regular, constructive feedback on their performance and are subject to annual appraisal that recognises their strengths, informs plans for their future development, and helps to enhance their professional practice. The arrangements for teacher appraisal are set out in the school's Appraisal Policy and Guidance.
- 9.10 The governing body has determined that judgements about performance and decisions about pay progression will be based on evidence and through consideration of the following factors;
- a) The outcome of the annual assessment against the Teachers' Standards 2012¹ and the extent to which this demonstrates that the teacher meets or continues to meet the standards at the appropriate career stage (see the Staged Exemplification of Teachers' Standards 2012 (introduction updated in 2013) in **Appendix 3 of the Nottinghamshire Appraisal Toolkit**) and that overall performance is at least good;
 - b) The extent to which appraisal objectives have been met at the end of the appraisal cycle;
 - c) Assessment against the pay progression impact criteria and the extent to which the criteria are fully met and maintained according to the appropriate pay band (see Toolkit Appendix 3 and 3a);
 - d) Teachers paid on the UPR should demonstrate that overall, they continue to meet the UPR criteria as set out in paragraph 11.6 (a) and (b) annually but will be considered for pay progression bi-annually; and
 - e) A teacher may be awarded accelerated pay progression for excellent performance over the previous academic year, as set out in paragraph 9.1. The level of performance should be agreed and set out in the appraisal statement at the start of the appraisal cycle and justified by evidence demonstrating consistently excellent performance, having regard to the specific criteria as set out in this policy.

Process

9.11 The process for making pay progression recommendations will be as follows:

a) Head Teacher Pay Progression

- At the end of the appraisal period the initial assessment of appraisal outcomes for the head teacher will be made by [the Head teachers appraisal committee](#), advised as appropriate by the external adviser and will contain a recommendation on pay progression;
- Any pay appeal submitted by the head teacher will be considered prior to approval by the Pay Committee;
- Final decisions about whether or not to ratify a pay progression recommendation will be made by the [FGPP committee](#) of the governing body, having regard to the appraisal report, the Pay Policy; assessment against the relevant Leadership and Teachers' Standards and the advice provided by the external adviser. The recommendation for pay progression will be supported by sufficient information to enable the [FGPP committee](#) to carefully consider the recommendations. The chair of governors / sub group of up to three governors, supported by the advice/recommendation of the external adviser, will be responsible for advising the appropriate committee of the governing body on its decisions.

• ¹ Please note in paragraph 9.10 (a) above, in September 2013, the DfE issued a set of [Teachers' Standards \(Early Years\) September 2013](#). These standards apply only to teachers who work in Early Years settings working with 2 years olds. Teachers working in FS1 or FS2 should be working to the Teachers' Standards 2012.

b) Other Teacher Pay Progression

- At the end of the appraisal period the nominated appraiser will make a written pay recommendation in the teachers' annual appraisal report for consideration by the head teacher;
- The head teacher, supported as appropriate by the senior leadership team, will consider and moderate all assessments and make recommendations for pay progression based on the criteria in paragraph 9.10 (a), (b), (c), (d) and (e);
- Any pay appeal submitted by a teacher will be considered prior to approval by the Pay Committee;
- Following the head teacher's consideration, a report will be presented and considered by the **FGPP committee** who will make a final decision to ratify pay decisions and determine any changes to the pay structure on behalf of the governing body. A template report is included in Toolkit Appendix 8. The report presented will contain sufficient information to enable the relevant committee to carefully consider the recommendations by the head teacher. It will have regard to the appraisal report, setting out the extent to which appraisal objectives have been met; assessment against the Teachers' Standards and consideration of the performance related pay progression criteria. The head teacher supported as appropriate by the senior leadership team will be responsible for advising the relevant committee of the governing body on its decisions.

9.12 Where teachers have been appointed to the school during the appraisal cycle the governing body will, where necessary, seek evidence from the previous school to assist pay decisions and, where necessary, seek evidence from the teacher themselves.

9.13 Teachers on a formal targeted support plan within appraisal or subject to the school capability procedure during the academic year are not deemed to be working at the required standard and may not be entitled to pay progression on the 1 September in any year:

- a) Support within appraisal - a teacher in receipt of a formal cycle of targeted support plan within appraisal will be entitled to be considered for pay progression where the support plan has ended and the teacher has subsequently demonstrated good performance at the required standard for a sustained continuous minimum period of 26 calendar weeks for a period up to the 1 September and demonstrated that the performance concerns have been resolved.
- b) Support within capability - a teacher subject to the schools' capability procedure will be entitled to be considered for pay progression where the capability procedure has ended, and the teacher has subsequently demonstrated good performance at the required standard for a sustained minimum continuous period of 26 calendar weeks for a period up to the 1 September and demonstrated that the performance concerns have been resolved.

Where the decision is made for no pay progression to take place this will be confirmed in writing to the employee.

Newly Qualified Teachers

10.0 On completion of induction the teacher will be eligible to be considered for pay progression at the next 1 September subject to meeting the relevant service qualification. The performance will be assessed and pay recommendation made through consideration of evidence from the statutory induction process.

Movement to the Upper Pay Range (UPR)

- 11.0 The governing body recognises its legal responsibilities for this process and as a result of this, delegates to the head teacher the responsibility for the receipt, assessment and feedback of requests to access the UPR.
- 11.1 The governing body recognises that assessment to access the UPR is a voluntary process and entirely a matter for individual teachers who can evidence that they have met the UPR assessment criteria. Normally, teachers will have reached the maximum of the MPR before making an application to be considered for progression. Any qualified teacher may apply to be paid on the UPR following two consecutive, successful appraisal reviews and any such application must be assessed in line with this policy.
- 11.2 Where a teacher is simultaneously employed at another school(s), they may submit separate applications if they wish to apply to be paid on the UPR in that school. This school will not be bound by any pay decision made by another school.
- 11.3 Applications may be made once per year and should be submitted to the head teacher between **1 September and 31 October**. Where a teacher wishes to be assessed for progression, they should notify their appraiser in writing by completing the UPR Application Form (**see Toolkit Appendix 7**) and enclosing the required evidence, including the previous two consecutive years' appraisal statements.
- 11.4 Where teachers wishing to be considered for UPR progression have been absent from school due to maternity leave or sickness consideration will be given to accepting late applications and account will be taken of paragraph 3 of this policy.
- 11.5 Where a teacher progresses to the UPR the governing body's expectation is that the teacher will continue to develop professionally and progress on the UPR on a bi-annual basis to the maximum of the range. Progression is subject to the individual meeting the criteria set out in paragraph 9.10 (a), (b), (c), and (d).

The Assessment

- 11.6 For an application to be successful, the governing body must be satisfied that:
 - a) The teacher is highly competent in all elements of the relevant Teachers' Standards; and
 - b) The teachers' achievements and contribution to an educational setting or settings, i.e. the school, are substantial and sustained.
- 11.7 In this school, **highly competent** means that the teacher has demonstrated, through evidence, that they have grown professionally and developed their teaching expertise so that performance is at a level that is consistent with all of the impact standards established in Band D of the Performance Related Pay Progression Criteria (Appendix 3) and where the level of performance is such that it;
 - 1) Is of real importance, validity or value to the school;
 - 2) Plays a critical role in the life of the school;
 - 3) Provides a role model for teaching and learning;
 - 4) Makes a distinctive and significant contribution to the raising of standards normally across more than one key stage / phase within the school; and

- 5) Takes advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils learning and which supports the professional development of other staff within the school.

11.8 In the context of appraisal **substantial** and **sustained** is defined as the following:

Substantial – evidence demonstrates that the teachers’ achievements and wider contribution to school improvement impacts significantly on pupil progress and the effectiveness of colleagues.

Sustained – evidence demonstrates that the required level of performance for UPR progression has been on-going consistently over a significant period of at least the last two years and is supported by two consecutive successful appraisal reports, including the current year at the school. Discretion will be exercised where there is clear and compelling evidence of consistent performance against the criteria at the teachers’ previous school.

11.9 The governing body will have regard to the two most recent consecutive appraisals when considering applications for UPR progression within the range. Normally at least two years will elapse between a teacher being placed on the first point of the UPR after accessing the UPR and being awarded the next point on the UPR. This will be evidenced by two successful and consecutive annual appraisal reviews, including evidence of the development of experience within the relevant Teachers’ Standards, evidence of increasing levels of outstanding teaching and continued meeting of the relevant UPR pay progression criteria.

Processes and Procedures

11.10 Applications must be submitted to the head teacher/named senior leader for moderation by **30th September**. A UPR Application Form can be found in Toolkit Appendix 7.

11.11 The head teacher will notify the teacher of the outcome of the UPR assessment in writing at the end of the appraisal process in that year.

11.12 Progression is subject to the approval of the relevant committee of the governing body. If successful, applicants will move to the minimum point on the UPR with effect from 1 September.

11.13 If the application is unsuccessful, feedback will be provided by appropriate line manager/subject leader/head teacher/ head of school within 10 working days of the decision. This will explain the reasons the teacher has not met the requirements to access the UPR and provide advice regarding aspects of the teachers’ performance which need to be improved in order to meet the required performance standards and criteria in future.

Leading Practitioners

12.0 Leading practitioners are eligible to be considered for pay progression annually. Pay progression will be made with reference to the leading practitioner’s appraisal report and will be dependent on evidence to demonstrate that the leading practitioner:

- a) Is highly competent in all aspects of the Teachers’ Standards 2012²;

• ² Please note in paragraph 12.0 above, in September 2013, the DfE issued a set of [Teachers’ Standards \(Early Years\) September 2013](#). These standards apply only to teachers who work in Early Years settings working with 2 years old. Teachers working in FS1 or FS2 should be working to the Teachers’ Standards 2012.

- b) Has had a successful appraisal review and that appraisal objectives have been met at the end of the appraisal cycle;
- c) Is an exemplar of teaching skills, which impact significantly on pupil progress, within school and within the wider school community (Outreach), if relevant;
- d) Has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement; and
- e) Has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement.

12.1 Where agreed at the start of the appraisal cycle it is recognised that up to two performance points can be awarded in any one school year for leading practitioners. This is subject to the setting and achievement of previously agreed staged criteria for one increment and more challenging criteria for two increments. The objectives must be such that there is clear evidence to demonstrate that objectives have been exceeded and, where justified by evidence, performance has been exceptional.

12.2 The governing body may determine that there should be no pay progression if performance has not been of a “sustained high quality”.

Unqualified Teachers

13.0 Pay progression on the unqualified teacher pay range is in line with paragraph 9.8 – 9.10.

Supply Teachers Employed by the School

14.0 Teachers employed on a supply basis will have their pay determined in line with the statutory pay arrangements consistent with the STPCD.

14.1 Supply teachers who are employed to teach for the full pupil day will be paid at a daily rate of 1/195th of the annual pay they would receive if engaged on a regular contract.

14.2 Supply teachers who work less than a full day will have their salary calculated on the basis of the daily amount divided by the length of the school day (*insert length*) and multiplied by the number of hours worked.

Part Time Teachers

15.0 All employees who are contracted to work less than a full-time working week are deemed to be part-time employees.

15.1 The governing body will ensure that the salary and allowances paid to part time teachers are determined according to the pro rata principle, except for the award of a TLR3 (**see Pay Policy and Guidance, paragraph 17.6 – 17.9**). The school will provide all teachers with a written statement determining their working time obligations and calculate the proportion of time a part-time teacher works against the schools timetabled teaching week. *Where a part-time teacher is required to work additional hours over and above their normal contracted hours they will be paid in accordance with their substantive grade.*

One to One Tuition

16.0 The governing body may make additional payments to teachers for one to one tuition in line with the one to one tuition guidance document produced by the local authority. The hourly rate payment includes an additional payment to incorporate the statutory holiday pay entitlement.

16.1 In this school the hourly rate for one to one tuition will be £26.87 (no % increase)

Teaching and Learning Responsibility Payments (TLRs)

- 17.0 The governing body will determine the number of teaching posts which will be paid at TLR1, TLR2 and TLR3 and the value of each TLR. TLR1 and TLR2 will be awarded permanently and TLR3 temporarily to the holders of posts indicated in the school's staffing structure, in line with the requirements of the STPCD and guidance from the local authority. The governing body will determine how they will take account of any uplift to the national pay framework for teachers in respect of individual "spot point" TLR payments between the statutory minima and maxima.
- 17.1 Unqualified teachers, leading practitioners and members of the leadership group may not hold a TLR.
- 17.2 The governing body will ensure that it is satisfied that the award of a TLR payment requires a classroom teacher' to undertake permanent additional duties and responsibilities. The payment requires the teacher to have a significant responsibility that is not required of all classroom teachers, and that is;
- a) Focussed 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.
- * see paragraph 17.6 below
- 17.3 Before awarding TLR1, the significant responsibility referred to above must include line management responsibility for a significant number of people.
- 17.4 The level at which either TLR1 or TLR2 is paid will be made on the above objective criteria and take account of the size and complexity of the role. The duties and responsibilities will be set out in the job description and posts with responsibilities of equal weight will be paid at the same level of pay. The award of TLR payments are set out below.
(Note: *There is no longer a need for there to be a minimum difference in the annual value between each award of a TLR1 or TLR2 of £1500*)
- 17.5 The governing body has determined the value of TLR payments as specified below (*amend according to school policy*).

The current school staffing structure does not contain any posts for which a TLR1 or TLR2 payment will be awarded.

- 17.6 **TLR3** payments will only be awarded where the governing body is satisfied that the responsibilities meet the criteria set out in paragraph 17.2, except for those denoted by a *, and that it is awarded for a fixed-term period for clearly time-limited school improvement projects, or one-off externally driven responsibilities.
- 17.7 The annual value of a TLR3 will be between £571 and £2,833 and will be paid monthly for the duration of the payment. The value, duration of the fixed-term, reason, purpose and outcome required will be agreed by the head teacher before the duties commence and set out in writing to the teacher, subject to consultation and agreement by the governing body.

17.8 A teacher may not hold a TLR1 and a TLR2 concurrently but may, in addition to a TLR1 or TLR2, hold a concurrent TLR3.

17.9 For part-time staff all TLR1 and TLR2 payments will be paid on a pro-rata, monthly basis.

Special Educational Needs (SEN)

18.0 The governing body will award a SEN allowance to a classroom teacher in accordance with the criteria set out below. The allowance will be a spot value within the range **£2,270** and **£4,479** per annum. Where a SEN allowance is paid the responsibilities will be specified in the job description and the value determined on objective criteria taking account of the size and complexity of the role. Posts in the school with SEN responsibilities of equal weight will be paid at the same level of pay. The governing body will determine how they will take account of any uplift to the national pay framework for teachers in respect of individual “spot point” SEN payments between the statutory minima and maxima.

18.1 In line with the STPCD and the Education (Special Educational Needs Co-ordinators) (England) Regulations 2014, the governing body will award a SEN allowance to a qualified classroom teacher;

- a) In any SEN post that requires a mandatory SEN qualification and involves teaching children with SEN.
- b) In a special school;
- c) Who teaches pupils in one or more designated special classes or units in a school.

18.2 The governing body have determined that the value of the allowance will be determined by taking into account the structure of the school’s SEN provision and the following factors;

- a) Whether any mandatory qualifications are required for the post;
- b) The qualifications or expertise of the teacher relevant to the post; and
- c) The relative demands of the post.
- d) *(Delete if not applicable)* In any non-designated setting (including any pupil referral unit (PRU) that is analogous to a designated special class or unit, where the post:
 - I. Involves a substantial element of working with children with SEN;
 - II. Requires the exercise of a teacher’s professional skills and judgement in the teaching of children with SEN; and
 - III. Has a greater level of involvement in the teaching of children with SEN than is the normal requirement of teachers throughout the school or unit within the school or, in the case of an unattached teacher, the unit or service.

Acting up Allowances (all staff) and Honoraria Payments (Support Staff only)

19.0 Where a teacher is required to ‘act up’ to a higher graded post and takes on the full duties and responsibilities of the post, the governing body will determine whether or not an “acting allowance” will be paid in line with the STPCD. If so, it will determine an appropriate payment within four weeks of new duties being assigned and, where agreed, any temporary allowance will be paid to the employee on the minimum point on the substantive grade/pay range for the post. The governing body recognises that the STPCD does not provide for the payment of bonuses or honorarium payments to teachers in any circumstances.

19.1 Where a member of the support staff is required to undertake additional responsibilities on a temporary basis, the mechanisms which will be used to meet this situation will be one of the following:

- a) Where the employee is required to “act up” in a higher graded post for a period in excess of four weeks, the governing body will temporarily pay the employee at the minimum point on the new grade, **as determined by the JE Scheme**, for that post;
- b) A one-off honorarium payment where additional duties/responsibilities, often at a higher grade, are undertaken to meet a particular development. The payment will be made in line with the Pay Policy Guidance document (page 24); or
- c) Planned overtime, subject to prior approval of the head teacher to meet short-term and excessive work-loads where it is essential that the task needs to be undertaken within a defined timescale.

19.2 The governing body will only apply acting up payments, honoraria or planned overtime payments on the basis **that additional** the duties and responsibilities **are** undertaken.

Allowances Payable to Unqualified Teachers

20.0 The governing body may determine that such additional allowances as it considers appropriate can be paid to an unqualified teacher where it considers, in the context of the staffing structure, that the teacher has;

- a) Taken on a sustained additional responsibility which;
 - Is focussed on teaching and learning; and
 - Requires the exercise of the teacher’s professional skills and judgement; or
- b) Qualifications or experience which bring added value to the role being undertaken.

Additional Payments – Classroom Teachers Only

21.0 The governing body recognises its discretionary power to make such payments as they see fit to classroom teachers paid on the MPR, UPR, UTR and Lead Practitioner Range in respect of teachers undertaking agreed voluntary:

- a) Continuing professional development undertaken outside the school day;
- b) Activities relating to the provision of Initial Teacher Training as part of the ordinary conduct of the school; and
- c) Participation in out-of-school hours learning activity agreed between the teacher and the head teacher (e.g. breakfast clubs, homework clubs, summer schools, sporting activities, outdoor activities/clubs, curricular link clubs e.g. arts).

21.1 The governing body have determined the additional payments set out in 21.0 (a), (b) and (c) will be calculated at a daily/hourly rate with reference to the individual teacher’s salary point or, where appropriate and following consideration by the governing body, at an amount reflecting the level of responsibility of the work undertaken.

21.2 The governing body may also consider a payment to a classroom teacher for 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.

21.3 Each of the above additional payments will be considered and determined by the (*name of committee*) of the governing body, in line with the STPCD, before the activity takes place, ensuring the payment is equitable.

Head Teacher Temporary Payments

22.0 The governing body may determine that a temporary payment be made to the head teacher in exceptional circumstances, for clearly identified temporary duties, that are in addition to those that have already been considered when making the determination of the head

teacher's IPR. The total sum of temporary payments in any school year must not exceed 25% of the annual salary already payable to the head teacher. Also, where the head teacher is paid outside the schools group range the total sum of salary and any additional payments made to the head teacher must not exceed 25% above the maximum of the head teacher group, except in wholly exceptional circumstances. The governing body will record the decision to make an additional temporary payment to the head teacher using Appendix 2b or 2c as appropriate.

- 22.1 Should the governing body determine that additional temporary payments are to be made and that the payments will cause the head teacher's salary to exceed the limits set out in paragraph 22.0 then it will seek independent external advice from the HR Service and produce a business case for approval by the full governing body, before approving the payment.

Work Outside of School

- 23.1 Any school employee who intends to undertake additional work outside of their substantive contract of employment with the school may only do so with the full knowledge and approval of the governing body. The head teacher, or in the case of the head teacher, the governing body, may not direct an employee to undertake additional work outside of their substantive contract of employment with the school.

Where permission to undertake additional work beneficial to the school is sought and approved by the governing body, for example to undertake work on behalf of the County Council, Ofsted or any other external body, the work shall be undertaken as a matter of the individual employees' own choice.

- 23.2 The governing body should have no expectation / requirement that a head teacher undertakes inspection work for OFSTED as a means of generating additional income for the school. Where a head teacher chooses to undertake inspection work for Ofsted or service provision for other schools, all income generated will be paid into the school budget and accrue to the school.

Over/Under Payments

- 24.0 Every effort will be made by the governing body and the school to make accurate salary and other payments on the due date. However, should an overpayment or underpayment occur the governing body will seek to recover/refund the amount within a reasonable timescale. Employees are expected to draw to the attention of the head teacher any overpayment or underpayment as soon as possible.
- 24.1 In the case of overpayments, the employee will be notified in writing of the full amount of the overpayment and agreement will be sought, where possible, about a reasonable repayment schedule. In the absence of such an agreement the governing body will determine a reasonable recovery schedule in conjunction with the payroll provider.
- 24.2 In the case of underpayments, the governing body will seek to ensure the correct amount is paid to the employee within two months of the matter being brought to its attention.
- 24.3 Recovery of overpayments/refund of underpayments will be pursued in the case of former employees.

Salary Safeguarding

- 25.0 The governing body recognises its responsibilities for safeguarding the salaries and allowances of teachers as set out in the relevant STPCD. **(Note; where academy schools / trust schools operate outside of the above statutory arrangements please set out the basis of any separate arrangements agreed with the recognised trade unions)**
- 25.1 The arrangements for the safeguarding of salaries of support staff will be determined according to the circumstances of the case consistent with the provisions applied by the Local Authority.
- 25.2 Salary safeguarding will be confirmed in writing to the employee and payroll provider as set in Toolkit Appendix 6a & 6b.

Pay Appeals Procedure

- 26.0 The procedures that apply to enable a teacher or member of the support staff to review a decision made by the head teacher or the governing body in relation to their pay is set out in Toolkit Appendix 10a. Further documentation to support the governing body and head teachers through the pay appeals process can be found in Toolkit Appendices 10b – 10f.
- 26.1 This procedure applies to all staff and sets out the grounds on which an appeal against pay may be made. The employee should complete Toolkit Appendix 10b to commence the Stage 2 Formal Pay Appeal process. The Appeals procedure has three stages:
- Stage One – Informal;
 - Stage Two – Formal Hearing;
 - Stage Three – Formal Appeal.
- 26.1 Pay appeal decisions are final and binding on both parties and cannot be reopened under the school grievance procedures.
- 26.2 The procedure for appeals against **grading** for support staff will be as determined within the agreed scheme for job evaluation.

Monitoring and Review

- 27.0 Where changes to this policy are proposed the governing body will undertake an Equality Impact Assessment (EQIA). The governing body will make available to staff the outcomes of the Equality Impact Assessment.
- 27.1 The governing body will monitor the outcomes and impact of this policy annually. As part of this review it will monitor trends on progression across all groups of staff, the school's continued compliance with equalities legislation and the provisions of the STPCD, the Burgundy Book and the Green Book – NJC Conditions of Service. A recommended report format for consideration by the governing body is included as Toolkit Appendix 9.

Source Documents

- [HR Service Teachers' Pay Award Letter 2020](#)
- [School Teachers Pay and Condition Document 2020](#)
- [Teachers' Standards 2012 \(Introduction updated 2013\)](#)
- [Teachers' Standards \(Early Years\) September 2013](#)
- [National standards of excellence for head teachers 2015](#)
- [Standards for teachers' professional development and the implementation guidance 2016](#)

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