



BOHUNT EDUCATION TRUST PAY POLICY 2017/18

1. Associated Policies

- Trust Performance Management (PM)
- Trust Staff Conduct and Grievance
- School's Requires Improvement to Good and Good to Outstanding Learning and Teaching Policy
- School's Red Lines Document
- School's Capability Policy
- Teachers Standards: www.education.gov.uk/schools/teachingandlearning/reviewofstandards

2. Introduction

2.1 The Trust Board of Bohunt Education Trust (BET) adopted this policy on 7 July 2015. It is subject to annual review, the latest being 4 July 2017.

2.2 This policy sets out the framework for making decisions on teachers' pay. It has been developed to comply with current legislation and the requirements of the School Teachers' Pay and Conditions Document (STPCD) 2016 and has been consulted on with staff and the recognised trade unions.

2.3 In adopting this pay policy the aim is to:

- reward the provision of outstanding learning and teaching within the BET
- support the recruitment and retention of a high quality teacher workforce
- enable BET to recognise and reward teachers who reach and sustain the defined performance criteria
- help to ensure that decisions on pay are managed in a fair, just and transparent way
- to ensure all decisions are taken in compliance with relative legislation

2.4 Information on current legislation can be found here:

<http://www.education.gov.uk/schools/careers/payandpensions/a00203870/strb-remit-21st-report>

3. Roles

3.1 Pay powers are ultimately exercised by the Trust Board as they set the pay policy, amounts and thresholds. Certain functions are delegated to the Local Governing Bodies (LGB), CEO and Heads of School.

3.2 The remuneration committee of the Trust Board will consider recommendations regarding pay levels and increases for the CEO, Director of Learning & Strategy and the Director of Finance & Resources; the latter being based on the performance report supplied by the CEO.

3.3 The remuneration committee of the Trust Board will consider recommendations regarding pay levels and increases for the Heads of Member Schools being based on the performance report of the CEO and in consultation with the relevant LGB.

3.4 The remuneration committee of the Trust Board will review the performance, and determine the salary, of the CEO and may be assisted in this regard by an External Advisor.

3.5 The Heads of Member Schools will exercise pay powers for employees remunerated on the leadership pay scale but must seek the agreement of the CEO for any proposed changes; these recommendations will then be forwarded to, and considered by, the relevant remuneration committee of the LGB for their consideration.

3.6 The Trust Board and LGBs delegate pay powers for teaching staff, other than those paid on the leadership pay scale, to the Heads of Member Schools. The Heads, in turn, should seek the agreement of the CEO in this regard.

3.7 The Heads of Member Schools are responsible for agreeing and reviewing performance objectives for all employees other than those reporting directly to the CEO; the Heads of School are line managed by the CEO who will consult with the appropriate LGB and, if appropriate, the Trust Board in the setting and review of performance objectives.

3.8 Once pay determinations have been made the Heads of Member Schools should inform staff in writing of the outcome of those determinations, or where appropriate this will be undertaken by the CEO or Chair of the Trust's remuneration committee as appropriate. Should a member of staff be unhappy with a pay outcome, they have the right to appeal this decision.

4. Who does this policy apply to?

4.1 This policy will be applied to the pay of all teaching staff employed by BET, excluding any staff whose pay is not determined by the Trust Board.

4.2 Nothing in the above requires the Trust Board to disclose material relating to any employee, or anyone proposed to be employed at the school, nor to any named student or candidate for admission to the school, nor to any matter which, by reason of its nature, the governing body is satisfied should remain confidential.

5. General Provisions

5.1 **Equal opportunities.** The Trust Board will comply with relevant legislation: race relations; sex discrimination; age discrimination; disability discrimination; religion or belief; equal pay; employment relations; and the part-time workers and fixed term employee regulations.

5.2 **Provision and means of revising job descriptions.** The Head of School will ensure that each member of staff is provided with a job description. 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 and may contain targets consistent with the School Improvement Plan. Job descriptions will show who is responsible for what, and who is responsible to whom; job descriptions will also make clear what responsibilities are common to all posts. All descriptions will be reviewed annually as part of the performance management process.

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

5.4 **Use of discretions.** Criteria for the use of pay discretions are set out in this policy and discretionary awards of additional pay will only be made in accordance with these criteria.

5.5 **Support for staff.** All members of staff will be told how the school's training and development policy affects them and will have the opportunity to review their training and development needs with their line manager and with the Head of School. The Trust Board will observe all health and safety requirements, in particular, as regards working time.

5.6 **Access to records.** The Head of School will ensure reasonable access for individual members of staff to their own employment records.

5.7 **Performance Management.** The Trust Board will operate a performance management strategy as set out in the Performance Management Policy.

6. Pay Reviews

6.1 The Head of School will ensure that each teacher's salary is reviewed annually, with effect from 1 September and no later than 31 October each year, and that all teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled by the 31 October each year.

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

6.3 Where a pay determination leads or may lead to the start of a period of safeguarding, the Head of School or CEO, acting for the Trust Board, will give the required notification as soon as possible and no later than one month after the date of the determination.

7. Basic Pay Determination on Appointment

7.1 The Head of School, with the agreement of the CEO will determine the pay range for a vacancy prior to advertising it. On appointment he/she will determine the starting salary within that range to be offered to the successful candidate.

7.2 In making such determinations, the Head of School and CEO may take into account a range of factors, including:

- the nature of the post
- the level of qualifications, skills and experience required
- market conditions
- the wider school context

7.3 There is no assumption that a teacher will be paid at the same rate as they were being paid in a previous school.

8. Pay Progression Based on Performance

8.1 At BET 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 Trust's Performance Management Policy.

8.2 Decisions regarding pay progression will be made with reference to the teachers' Performance Management Document and the pay recommendations they contain. In the case of NQTs, whose appraisal arrangements are different, pay decisions will be made by means of the statutory induction process. It will be possible for a 'no progression' determination to be made without recourse to the capability procedure.

8.3 To be fair and transparent, assessments of performance will be properly rooted in evidence. At BET the Head of School will ensure fairness by:

- running training for line managers
- moderating the objectives that staff are set as part of their Performance Management
- moderating the assessments made by line managers
- having the CEO look at our moderation processes

8.4 The evidence may include:

- teachers' self-assessment
- line manager comments
- progress data
- exam results data
- lesson observations
- the views of students and parents
- peer review
- book checks
- review of lesson plans
- registers from professional development events

8.5 Teachers' Performance Management Documents will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Head of School, with the agreement of the CEO, having regard to the Performance Management Document and taking into account advice from the school's leadership group. The Head of School will consider his/her approach in light of the school's budget and ensure that appropriate funding is allocated for pay progression at all levels.

8.6 In BET schools, judgements of performance will be made against:

- the Red Lines Document
- whether a teacher has fallen short, succeeded or exceeded the objectives they were set in the Performance Management Document
- observations of their teaching

8.7 Teachers will be eligible for pay progression to the next pay reference point on the Main Pay Scale if they have:

- consistently met or exceeded the 'Red Lines'
- operated at a level that strongly suggests their teaching is consistently good or better
- classes that are broadly in line with expected progress (2 sub levels per year)

8.8 Teachers will be eligible to be considered for accelerated pay progression on the Main Pay Scale (to be determined by the extent to which they have achieved the below) if they have:

- set themselves challenging PM objectives and met or exceeded the majority of them
- shown significant progress from the previous year in virtually all areas of the Teachers' Standards
- operated at a level that strongly suggests their teaching is nearly always outstanding
- classes that are making better than expected progress (i.e. meeting or exceeding their targets – which equates to one level per year)
- accelerated pay progression is not automatic and will be limited by the resources available to this end

8.9 For teachers to progress to the next reference point on the Upper Pay Scale they need to have met all of the following standards for at least two years:

- set themselves challenging objectives and met or exceeded the majority of them
- operated at a level that strongly suggests their teaching leads to outstanding progress
- shown, through a written statement of no more than one side of A4, that they have had an impact (both substantial and sustained – for definitions see 9.6) beyond their own classes by providing coaching and mentoring to other teachers, giving advice to them and demonstrating to them effective teaching practice and how to make a wider contribution to the work of the school.
 - o For UPS 2 this is likely to be at a Faculty or House/Year level
 - o For UPS 3 this is likely to be at a whole school level

8.10 For teachers to progress to the next reference point on the Leading Practitioner Pay Scale they need to have met all of the following standards for at least two years:

- set themselves challenging objectives and met or exceeded the majority of them
- operated at a level that strongly suggests their teaching is consistently outstanding
- shown, through a written statement of no more than one side of A4, that they have had identifiable impact (both substantial and sustained – for definitions see 9.6) at a whole school level by modeling and improving the quality of teaching.

9. Movement to the Upper Pay Scale

Applications and Evidence

9.1 Any qualified teacher may apply to be paid on the upper pay range and any such application must be assessed in line with this policy. It is the responsibility of the teacher to decide whether or not they wish to apply to be paid on the upper pay range.

9.2 Applications should be made to the Head of School during the first half of the summer term. If a member of staff is going to be away for that half of term (e.g. maternity) then they can apply at any time, but the application will only be considered during that half term.

9.3 If a teacher is simultaneously employed by another school(s), they may submit separate applications if they wish to apply to be paid on the upper pay range in that school or schools. This school will not be bound by any pay decisions made by another school.

9.4 All applications should include the results of reviews or appraisals under the 2011 or 2012 regulations, including any recommendations on pay (or, where that information is not applicable or available, a statement and summary of evidence showing an applicants level of performance in that year). In addition applicants should write a covering letter (of no more than two sides of A4) detailing the main reasons they feel they meet the assessment criteria.

The Assessment

9.5 An application from a qualified teacher will be successful where the Head of School, with the agreement of the CEO, is satisfied that:

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

9.6 For the purposes of this pay policy:

- 'highly competent' means the teacher is working at a level at least equivalent to Ofsted outstanding with regard to all the standards and self-aware/self-evaluative enough to provide coaching and mentoring to other teachers, give advice to them and demonstrate to them effective teaching practice and how to make a wider contribution to the work of the school. They will have an 'open door' approach to their teaching and planning (i.e. happy for other teachers to pop in and observe their practice regularly, happy for their classes to be observed by visitors etc.).
- 'substantial' means they make a distinctive contribution to the raising of student attainment and can clearly show how their professional development has impacted positively on the attainment of students, including students who they don't teach.
- 'sustained' means they have maintained the above standards consistently over at least two school years.

9.7 The application will be assessed by the Head of School.

Processes and procedures

9.8 The assessment will be made by the end of the academic year. If successful, applicants will notified in writing by the 31 October of each year and move to the lowest point on the upper pay range from the 1 September of each year (i.e. pay will be backdated from the date of writing to the 1 September).

9.9 Exceptional applications may lead to the Head of School starting the applicant on a higher reference point on the Upper Pay Scale

9.10 If unsuccessful, feedback will be provided by the Head of School by the 31 October

9.11 Any appeal against a decision not to move the teacher to the upper pay range will be heard under the school's general appeals arrangements.

10. Part Time Teachers

10.1 Teachers employed on an ongoing basis at the school but who work less than a full working week are deemed to be part-time.

10.2 The Head of School will apply the provisions of this policy on a pro rata basis to all part-time employees. The pay committee will act in accordance with the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

11. Short Notice/Supply Teachers

11.1 Teachers employed on a day-to-day or other short notice basis will be paid on a daily basis calculated on the assumption that a full working year consists of 195 days; periods of employment for less than a day being calculated pro rata.

12. Unqualified Teachers

12.1 The pay of any unqualified instructor will be determined by the Head of School having regard to the current rate for unqualified instructors. The Head of School will determine the pay of an instructor taking account of any qualifications or experience s/he may have, which they consider to be of value. Appeal procedures are set out below.

13. Allowances

13.1 **Teaching and Learning Responsibility Payments.** The Head of School, with agreement from the CEO, may award an additional payment to a classroom teacher either on a permanent basis or for a fixed term. These payments will be for clearly defined and sustained additional responsibility in the context of the schools staffing structure for the purpose of ensuring the continued delivery of high quality learning and teaching. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which an additional payment is awarded.

13.2 **Additional Payments.** The HT may approve additional payroll payments to a teacher for going above and beyond their normal roles, for example:

- continuing professional development undertaken outside of 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 Head of School of, in the case of the Head of School, between the Head of School and the leadership group exceptional performance

13.3 **Recruitment and retention incentives and benefits.** The Trust Board note that they can award lump sum payments, periodic payments or provide other financial assistance, support or benefits to reward performance and/or for a recruitment or retention incentive. The Trust Board commends discretion in this matter to the Head of School with the agreement of the CEO.

13.4 **Acting Allowances.** Acting allowances are payable to teachers who are assigned and carrying out the duties of the Head of School or other members of LG. The Head of School with agreement with the CEO will, within a four week period of the commencement of acting duties, determine whether or not the acting postholder will be paid an allowance. In the event of a planned or prolonged absence, an acting allowance will be agreed in advance and paid from the first day of absence.

14. Headteacher

New Appointment

14.1 When a head of school position becomes available the Local Governing Body (LGB) will, with the agreement of the CEO, determine the pay to be advertised and agree pay on appointment.

14.2 The LGB, together with the CEO, will exercise their discretion in securing the appointment of their preferred candidate.

Serving HT

14.3 The LGB together with the CEO will agree performance objectives with the individual Head of Member School. The objectives will be agreed in the autumn term as will a review of the previous year's performance against existing objectives and make recommendations as to any salary increase when objectives are met.

14.4 The general appeals policy will apply to the Head of School but s/he will only have the right of appeal to the Trust Board. The Head of School is entitled to make a written statement to contribute to their performance review.

14.5 The terms of reference for the Head of School will be determined from time to time by the CEO with reference to the LGB and Trust Board if appropriate

15. Safeguarding Arrangements

15.1 Safeguarding is determined by when the teacher took up their post. There are different rules for those who started on or before 31 December 2005 to those who started on or after 1 January 2006.

15.2 TLR3s are not safeguarded

16. Appeal Procedure

16.1 The Trust Board has an appeals procedure in relation to pay.

16.2 All staff will receive a written statement of the determination of their pay as set out in paragraph 6.1 above. The way in which the determination is made is outlined in section 8. If the teacher wishes to appeal the decision then he/she must write to the Head of School outlining the reasons why they are unhappy with the determination. If, after receiving a reply within ten days, they are still unhappy they should write again, again within ten days, to the Clerk to the local governing body. The letter must include a statement of the representation that he/she intends to make. The Clerk to the local governing body will convene the Appeals Committee within 20 working days of the receipt of the written appeal. The Clerk to the local governing body will write to the teacher to advise him of their decision.

16.3 The school reserves the right to extend the timescales outlined in 17.2. If the Head of School or Clerk to the local governing body decides to exercise this right then they will write to the appellant within the above timescales to give the date by which the relevant action will happen.

16.4 Any appellant has the right to see all relevant papers and to be accompanied/ represented by a workplace colleague or trade union/association representative.

17. Policy Review

17.1 This policy will be reviewed annually as part of the Trust's annual review process

17.2 Minimum and maximum pay ranges can be found in the most recent copy of the STPCD.

Review frequency: Annually

Review date: July 2018

Last updated: July 2017