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**SCHOOL PAY POLICY 2017 - 2018**

**Produced by School's HR**

**Tel: 0151 233 3901**  
**[www.schoolimprovementliverpool.co.uk](http://www.schoolimprovementliverpool.co.uk)**

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**Adopted by Everton Nursery School and Family Centre PFR Committee on the 29<sup>th</sup> September 2017 and ratified by the Full Governing Body on the 5<sup>th</sup> October 2017.**

**DOCUMENT STATUS**

<b>Version</b>	<b>Date</b>	<b>Action</b>
Version 1	2014	
Revision 1	09/09/2015	Para 12 removed and policy agreed by Teacher Unions
Revision 2	05/10/2016	Policy agreed by Teacher Unions. Pay scales revert to one point at M6.
	13/09/2017	Policy agreed By Teacher Unions. Pay scales updated with National Cost of Living Rise at Appendix 2.
Review Date	Sep 2018	

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The Governing Body of \_\_\_\_\_ School adopted this policy on \_\_\_\_\_

This policy will be reviewed annually by the Pay Committee and approved by The Governing Body and a record of the review maintained.

## **1. INTRODUCTION**

- 1.1 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 - "the Document") and has been consulted on with the recognised trade unions. A copy of this policy will be sent to all staff and a copy of all relevant documents on pay and conditions will be made available to staff by the school.
- 1.2 In adopting this pay policy the aim is to:
  - maximise the quality of teaching and learning at the school
  - support the recruitment and retention of a high quality teacher workforce
  - enable the school to recognise and reward teachers appropriately for their contribution to the school
  - ensure accountability, transparency, objectivity and equality of opportunity Including compliance with equalities legislation ie Employment Rights Act 1996, Employment Relations Act 1999, Employment Act 2002, Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and Equalities Act 2010/2012
- 1.3 Pay decisions at this school are made by the Governing Body which has delegated certain responsibilities and decision making powers to the Pay Committee as set out in Appendix One. The Pay Committee shall be responsible for the establishment and review of the pay policy, subject to the approval of the Governing Body, and shall have full authority to take pay decisions on behalf of the Governing Body in accordance with this policy. The head teacher/principal shall be responsible for advising the Pay Committee on its decisions.
- 1.4 An annual pay award of 1%, will be levied against each pay point for the main pay range, upper pay range, unqualified teacher range, leading practitioner range and the Leadership Pay Range.

All pay points are set out at Appendix 2.

## **2. EQUALITIES AND PERFORMANCE RELATED PAY**

- 2.1 The governing body is aware of its duties under the Equality Act 2010 and will do all it can to ensure that its processes are open, transparent and fair and all pay decisions will be objectively justified. The Department for Education's advice as to Equalities considerations will be followed at this school. (see Appendices 4 and 8)
- 2.2 Adjustments will be made to take account of special circumstances, eg an absence on long-term sick leave or agreed secondment. The exact adjustments will be made on a case-by-case basis, depending on the individual teacher's circumstances and the school's circumstances.
- 2.3 The Governing Body is aware of its duty under Section 18 of the Equality Act 2010 not to discriminate against women taking maternity leave. Any time absent on maternity leave during a teacher's appraisal cycle(s) will be counted as performance towards their next pay

progression. Any relevant decisions on pay progression will be made on the information available either immediately prior to the maternity leave and/or on return.

### **3. PAY DECISIONS**

- 3.1 Pay decisions at this school are determined by the Governing Body which can delegate certain responsibilities and decision making powers to a sub-committee as outlined in appendix 1.
- 3.2 Although referred to as the pay committee in this document, the Governing Body can decide which sub-committee is best able to deal with matters relating to pay. This can be a stand-alone committee or part of the responsibility of another sub-committee with the appropriate terms of reference.
- 3.3 The Governing Body will ensure the application of both pay and appraisal systems to satisfy Ofsted's key aspect of Section 5 Inspection. See appendix 4.
- 3.4 The school's staffing structure is attached at appendix 5. Any changes to the school's staffing structure (i.e. creation or deletion of post including TLRs or revaluation of TLR values), will be subject to consultation with staff and Trade Unions, with the exception of the introduction of TLR3s.

### **4. PAY REVIEWS**

- 4.1 The Governing Body will ensure that each teacher's salary is reviewed annually, with effect from 1 September and will ensure that each teacher's annual pay review is completed by 31 October, or 31 December for the head teacher, and that all teachers, including the head teacher, are given a written statement setting out their salary and any other financial benefits to which they are entitled (an example is included at appendix 6).
- 4.2 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.
- 4.3 Where a pay determination leads or may lead to the start of a period of safeguarding, the Governing Body will give the required notification as soon as possible and no later than one month after the date of the determination.

## **5. OVERVIEW OF SCHOOL ROLES AND PAY**

- 5.1 Classroom teachers are paid on two main pay spines, the Main Pay Range (MPR) and the Upper Pay Range (UPR) as detailed in Appendix 2. Head teachers, Deputy Head teachers and Assistant Head teachers are paid on a separate pay scale, known as the Leadership Spine. Lead Practitioner posts and Unqualified Teachers posts both have distinct pay scales set by the governing body, between a minimum and maximum amount as set out in STP&C.
- 5.2 Teachers can also be paid additional allowances for various reasons as set out in this policy, which reflects the School Teachers Pay and Conditions Document (STPCD). The STPCD is the statutory, national conditions of service relating to teachers pay and is negotiated by central government and national trade union representatives.

### **5.3 Qualified teachers**

In order to be classed and paid as a qualified teacher, an individual needs to have either:

- a) Qualified teacher status (QTS) or
- b) Qualified teacher learning and skills status (QTLS)

#### **5.3.1 Qualified teacher status (QTS)**

To achieve QTS, an individual needs to complete a period of initial teacher training which enables individual to meet the professional standards for QTS. The standards are a formal set of skills and qualities required to be an effective teacher. QTS is awarded by the National College for Teaching and Leadership having been provided with the individual's course results by their training provider.

#### **5.3.2 Qualified teacher learning and skills status (QTLS)**

Since April 2012, further education teachers who have been awarded QTLS by the Institute for Learning (IFL) and are members of the IFL have been recognised as qualified teachers in schools.

### **5.4 Unqualified teachers**

An unqualified teacher is an individual who does not have the qualification to be a qualified teacher, who is appointed where a special qualification and/or experience is required to teach a skill or subject e.g. a trade qualification. On the creation of such a post, the Governing Body will refer to the relevant 6-point pay range set out in Appendix 2. Progression through the pay scale is not automatic and is in line with progression for a teacher paid on the Main Pay Range as set out in paragraph 7.7 – Pay Progression Based on Performance.

### **5.5 Main Pay Range**

The Governing Body has agreed a six point Main Pay Range. This is the pay spine that qualified classroom teachers are paid on.

Progression through the Main Pay Range is not automatic and is based on the annual performance appraisal of the teacher. The standard progression is 1 point following a successful appraisal cycle. Exceptional performance may merit additional spinal points being awarded in any one pay review. A teacher may not progress where concerns have been raised in writing regarding standards of performance. See para 7.7 - Pay Progression Based on Performance.

MPR teachers have the right to request assessment for progression to the Upper Pay Range in line with the criteria set out by this document. See para 7 - Movement to the Upper Pay Range.

## **5.6 Upper Pay Range**

A teacher paid at the Upper Pay Range is expected to have met and continues to meet the criteria set out at para 8.2 The Governing Body has agreed a 3-point Upper Pay Range. Progression through the UPR is not automatic and is based on the performance appraisal of the teacher. An Upper Pay Range teacher must have demonstrated substantial and sustained performance via two successful and consecutive appraisal cycles. A teacher may not progress where concerns have been raised in writing regarding standards of performance. See para 7.8 - Pay Progression Based on Performance.

There is no progression from the Upper Pay Range to the Leadership Spine unless an individual applies for and is appointed to a leadership post.

## **5.7 Lead Practitioner**

Such posts may be established for teachers whose primary purpose is the modelling and leading of improvement of teaching skills, where those duties fall outside the criteria for the TLR payment structure. If a teacher holds a Leading Practitioner Post they cannot be allocated a TLR post.

Where the Governing Body has established the need in school for a Leading Practitioner teacher post, the Pay Committee will determine an appropriate pay range for each Lead Practitioner post set between the minimum and maximum detailed in STP&CD and Appendix 2. Different lead practitioner posts may be paid on different individual post ranges within the overall pay range.

When determining the pay scales for such posts, the Governing Body will do this by reference to the weight of the responsibilities of the post and bearing in mind the need to ensure pay equality where posts are equally onerous and fair pay relativities between posts of differing levels of responsibility.

Progression through the pay scale will be in line with Paragraph 7.9 of this document.

## **5.8 Leadership Spine**

Head teachers, Deputy Head teachers and Assistant Head teachers are paid on the Leadership Spine. The Governing Body will calculate the total unit score for the school and assign the school to the head teacher group. The Governing Body will then determine the pay range for any Leadership vacancy prior to advertising it.

In setting the pay range, the Governing Body may take in to account a range of factors including the complexity and challenge of the role in the particular context of the school. Within this Pay Policy, these issues are dealt with under Basic Pay Determinations

Progression through the relevant pay range is not automatic and is based on the annual performance appraisal of the individual. The standard progression is 1 point following a successful appraisal cycle. Exceptional performance may merit a maximum award of 2 spinal points in any one pay review. An individual may not progress where concerns have

been raised in writing regarding standards of performance. See para 7.10 - Pay Progression Based on Performance.

## **5.9 Additional Allowances for Teachers**

### **5.9.1 Teaching & Learning Responsibility payments (TLR's).**

TLR 2 is awarded where a teacher is undertaking a sustained additional responsibility in the context of the schools staffing structure.

TLR 1 is awarded where a teacher is undertaking the responsibilities of TLR 2, but also has significant line management responsibility.

TLR 3 may be awarded on a fixed term basis for clearly time limited additional responsibility and is therefore temporary.

See Para 9 - Teaching and Learning Responsibilities.

### **5.9.2 Special Educational Needs (SEN) Allowance**

An SEN allowance can be awarded to a teacher as per the criteria set out in 2016 STP&C. Payments reflect work carried out with pupils / students with special educational needs. See para 21.2

Other payments can be made to teachers as determined by the STP&CD.

## **5.10 Support Staff**

Support staff are covered by the National Joint Council (NJC) conditions of service and local conditions of service. The Governing Body and Head teacher will determine the number and structure of the support staff within the school.

The Governing Body will ensure that support staff salaries are determined via the agreed Job Evaluation Scheme / PASS Scheme \* (*delete as appropriate*) and salary will be paid in accordance with this schemes.

## **6. BASIC PAY DETERMINATION ON APPOINTMENT**

- 6.1 The Governing Body will determine the pay range for a vacancy prior to advertising it. On appointment the individual's starting salary will be determined using the criteria below within the range to be offered to the successful candidate.
- 6.2 Pay portability will be used in the first instance to determine a teacher's salary on commencement of employment with the school.
- 6.3 When determining the starting salary for a teacher who has previously worked in a Local Authority maintained school or Academy in England and Wales, the Governing Body will apply the portability within the advertised pay range. Teachers will be paid at a scale point which at least maintains the teacher's previous pay entitlement (i.e. the nearest scale point that offers no detriment). The Head teacher will also assess any pending pay progression if supported with evidence from the teacher's previous school. It is the individual's responsibility to provide the evidence for pay progression. The Head teacher will verify the evidence that has been provided to the school.
- 6.4 Pay portability will be maintained in accordance with the pay range advertised for the post. Classroom teachers posts will be advertised from M1 – UPS3.

### **6.5 Main Pay Range**

To be paid on this pay range, a teacher must be a qualified teacher – see Overview of teachers pay – qualified teachers for the definition.

The Governing Body will apply the following criteria in making pay determinations for all teachers entering the profession/new appointments who are not subject to pay portability as follows:

- One point for each year of service as a qualified teacher in an Independent school, a City Technology College, Free schools, University Technology Colleges and Studio Schools
- One point for each year of service as a qualified teacher in higher or further education (including sixth form colleges).
- At the discretion of the Governing Body, one point for each 3 years of non teaching experience spent working in a relevant area determined by the Governing Body/Head teacher, including industrial or commercial training, and other work with children and young people deemed relevant by the Governing Body.
- If the Governing Body considers that a teacher's experience or subject expertise merits additional award, the Governing Body will consider exercising its discretion in awarding additional points. Justification will be provided in writing and referenced in the annual report on pay.

### **6.6 Upper Pay Range**

To be paid on this pay range, a teacher must be a qualified teacher – see Overview of teachers pay – qualified teachers for the definition.

The Governing Body will maintain the teacher's previous entitlement to be paid on the Upper Pay Range and will also assess any pending pay progression if supported with evidence from the teacher's previous school. It is the responsibility of the teacher to provide evidence. This evidence will be verified by the Head teacher.



## 6.7 Unqualified Teachers

The Governing Body may employ an unqualified teacher in circumstances where:

- No suitable qualified teacher is available
- Special qualifications or experience or both are required

An unqualified teacher employed by the school will be paid on the unqualified pay scale, and salary will be assessed as follows:

- One point for each year of service as a unqualified teacher in an Independent School, a City Technology College, Free schools, University Technology Colleges and Studio Schools.(defined in glossary)
- One point for each year of service as a unqualified teacher in higher or further education (including sixth form colleges),
- At the discretion of the Governing Body/Head teacher, One point for each 3 years of non teaching experience spent working in a relevant area determined by the Governing Body/Head teacher, including industrial or commercial training, and other work with children and young people deemed relevant by the Governing Body (see appendix 2 for delegation by the governing body)
- If the Head teacher / Governing Body considers that a teacher's experience or subject expertise merits additional award, the Governing Body/Head teacher will consider exercising it's discretion in awarding additional points.

Where an unqualified teacher becomes qualified, the Governing Body will ensure that he/she is transferred onto the main pay range on the next spinal point, if applicable, that is higher than their current salary and allowance paid as an unqualified teacher.

## 6.8 Lead Practitioners

The Governing Body may create a lead practitioner post within the school, and will also determine a suitable pay range for each post created, which is set between the minimum and maximum set out in STP&C and in Appendix 2.

When setting the pay range, the governing body will take into account:

- the nature of the work being undertaken including any work with teachers from another school;
- the degree of challenge to the role
- the professional competencies required of the post holder;
- such other criteria that may be appropriate.

Newly appointed Lead Practitioners will be placed on the lowest point of the pay range.

## 6.9 Leadership posts

### 6.9.1 Leadership Posts

Pay ranges for headteachers should not normally exceed the maximum of the headteacher group. When setting the pay range for new appointments to Head teacher and other leadership posts, the Governing Body will take into account:

- The group size of the school (as calculated via the School Teachers' Pay and Conditions Document) and the associated pay range;

- The complexity and challenge of the role in the particular context of the school (see below)
- Any additional, permanent responsibilities and accountabilities which make the role more challenging than other posts of a similar grade within the leadership group.
  - The need to include scope for performance-related progression over time.
  - ‘Complexity’ in this context refers to breadth of responsibilities covered within a particular role, and to the level of competence, knowledge and experience required to understand and successfully manage these areas of responsibility. For example, leading a school which provides education across three Key stages is likely to be more complex than leading a school which provides education across one or two Key stages.
  - ‘Challenge’ in this context refers to the level of difficulty presented by each area of responsibility within a particular role and within the individual context of the school. For example, leading an under-resourced school is likely to be more challenging than leading a well-resourced school.

When setting the leadership pay ranges the pay review committee is advised to seek external independent advice and a business and benchmarking case should be made and agreed by the full governing body.

## **7. PAY PROGRESSION BASED ON PERFORMANCE**

- 7.1 The arrangements for teacher appraisal are set out in the school's Appraisal Policy. Decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain.
- 7.2 In this school 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 decisions regarding pay progression will be made with reference to the teachers' appraisal reports and the pay recommendations they contain.
- 7.3 To be fair and transparent, assessments of performance recorded in the teacher's appraisal report will be properly rooted in evidence. The evidence we will use to assess performance may include, but is not limited to, self-assessment, peer review, tracking pupil progress and lesson observations.
- 7.4 The head teacher will moderate objectives to ensure consistency and fairness; the head teacher will also moderate performance assessment and initial pay recommendations to ensure consistency and fairness and this information will be included in information to Governors.
- 7.5 Teachers' appraisal reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the pay committee having regard to the appraisal report.

### **7.6 Newly Qualified Teachers**

Pay progression will be awarded on the successful completion of induction. The Governing Body will award 1 point only at the successful completion of the statutory induction period.

### **7.7 Main Pay Range**

Annual pay progression within the range for this post is not automatic and is linked to performance. Teachers will be awarded 1-point pay progression on the Main Pay Range following each successful annual assessment as outlined in the Appraisal Policy. Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

Teachers who make exceptional progress as evidenced in the appraisal report, may be awarded more than 1-point progression, subject to agreement by the pay committee. The appraisal review must evidence the exceptional performance to support exceptional progress and justify a higher award.

### **7.8 Upper Pay Range**

Pay progression on the Upper Pay Range will follow two successful appraisal reviews. All UPR teachers must be able to demonstrate substantial and sustained performance to progress through this pay range. Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

Biennial pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following the outcome of two successful appraisal reviews. Teachers who make exceptional progress as evidenced in the appraisal report, may be awarded more than 1-point progression, subject to agreement by the pay committee. The appraisal review must evidence the exceptional performance to support exceptional progress and justify a higher award.

## **7.9 Lead Practitioner**

Lead Practitioners must demonstrate sustained high quality performance in the light of their agreed performance objectives and will be subject to a review of performance before any performance points are awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following the outcome of a successful appraisal review. Teachers who make exceptional progress as evidenced in the appraisal report, may make more than 1-point progression

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

## **7.10 Leadership**

### **7.10.1 Head teacher**

The Head teacher must demonstrate sustained high quality performance, with particular regard to leadership, management and pupil progress at the school and will be subject to a review of performance against performance objectives before any performance points will be awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee will award 1 point following a successful appraisal review. Head teachers who make exceptional progress as evidenced in the appraisal report, may receive a maximum of 2 points progression.

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

### **7.10.2 Deputy Head teacher and Assistant Head teachers**

Deputies and Assistant Head teachers must demonstrate sustained high quality performance in respect of school leadership and management and pupil progress and will be subject to a review of performance against their performance objectives before any performance points will be awarded.

Annual pay progression within the range for this post is not automatic and is linked to performance. The pay committee/Head teacher will award 1 point following a successful appraisal review. Deputy/Assistant Head teachers who make exceptional progress as evidenced in the appraisal report, may receive a maximum of 2 points progression.

Reviews will be deemed successful unless performance concerns are properly rooted in evidence and recorded. Concerns will be made known to the individual as soon as is practicable in writing.

## **8. MOVEMENT TO THE UPPER PAY RANGE**

### **8.1 Applications and Evidence**

- 8.1.1 Any qualified teacher, on point 6 of the main pay scale, 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.
- 8.1.2 Applications may be submitted once a year. Where teachers wish to be assessed, they should notify their appraiser in writing using the application form as at Appendix 7. The written application should be submitted by the teacher to the appraiser at the performance management/appraisal planning meeting and no later than 31 October. The teacher's application will be appended to their performance management/appraisal planning statement.
- 8.1.3 The evidence to be used should be that available through the performance management/appraisal process but would not be limited to this and will demonstrate the capacity to operate at the level required of UPS practitioners.
- 8.1.4 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 Upper Pay Range in that school or schools. This school will not be bound by any pay decision made by another school.

### **8.2 The Assessment Criteria**

- 8.2.1 An application from a qualified teacher will be successful where the Governing Body is satisfied that:
- (a) the teacher is highly competent in all elements of the relevant standards; and
  - (b) the teacher's achievements and contribution to the school are substantial and sustained.
  - (c) the teacher has met the expectations for progression to the Upper Pay Range where the Upper Pay Range criteria has been satisfied as evidenced by the two most recent, successful and consecutive appraisal reviews and the application form at appendix 7.
- 8.2.2 In this school, this means the teacher must satisfy points 1, 2 and 3 below:
1. 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. The teacher can demonstrate performance which is not only good but also good 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, in order to help them meet the relevant standards and develop their teaching practice.
  2. 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. The teacher plays a critical role in the life of the

school, providing a role model for teaching and learning and making a distinctive contribution to the raising of pupil standards. The teacher takes advantage of appropriate opportunities for professional development and uses the outcomes effectively to improve pupils' learning.

3. sustained: the teacher must have evidence of successful, consecutive appraisal reports and have achieved their objectives. They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently maintained at a highly competent level for a minimum of 2 consecutive years.

- 8.2.3 The applicant will be informed by the head teacher as to who will assess their application which may or may not be the head teacher. 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 head teacher for moderation purposes, if the head teacher is not the assessor or where the head teacher is the assessor, to the Pay Committee. The Pay Committee will make the final decision, advised by the head teacher.

### **8.3 Processes and Procedures**

- 8.3.1 The assessment will be made upon receipt of the application, within (*insert number of days (eg 10/15/20 working days)*). If successful, applicants will move to the Upper Pay Range from the previous 1 September and will be placed on the minimum of that pay scale.
- 8.3.2 If unsuccessful, feedback will be provided by the head teacher and will cover the reasons for the decision and the appeal arrangements available to the teacher.
- 8.3.3 Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard in line with the procedure at Appendix 3.
- 8.3.4 Subsequent progression through the Upper Pay Scale will be in line with Paragraph 7.8.

## **9. TEACHING & LEARNING RESPONSIBILITY PAYMENTS (TLRs)**

### **9.1 Permanent TLR posts (TLR1 and TLR2)**

9.1.1 The Governing Body pays TLR 1 and 2 payments to teachers occupying such posts within the school staffing structure.

9.1.2 Before awarding any TLR 1 or 2 payment, the Governing Body must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that it:

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

9.1.3 In addition, before awarding a TLR1 payment, the Governing Body must be satisfied that the significant responsibility referred to above includes line management responsibility for a significant number of people. (It is for the school to define what constitutes a significant number of people within the context of the school).

9.1.4 Teachers will not be required to undertake permanent additional responsibilities without payment of an appropriate permanent TLR1 or TLR2 payments. However, such TLRs may be paid temporarily to a teacher who is acting into either a vacant post, or is covering the absence of the permanent TLR post holder.

### **9.2 Time limited (Temporary) TLR posts - TLR3**

9.2.1 Before making any TLR3 payment, the Governing Body must be satisfied that the responsibilities meet a, b and d of the above criteria; that they are being awarded for clearly time limited school improvement projects or externally driven responsibilities; and that the responsibilities are not a permanent or structural requirement which should instead be rewarded by means of a permanent TLR payment.

9.2.2 Where the Governing Body wishes to make TLR3 payments, the proposed responsibilities, level of payment and the duration of payment will be set out clearly upon appointment.

9.2.3 The Governing Body will ensure that the use of TLR3 applies only to clearly time-limited school improvement projects or one-off externally driven responsibilities and where there is a genuine development or operational need. TLR3 payments will not be used to replace or otherwise limit teachers' pay progression on the Main, Upper or Leading Practitioner Pay Ranges.

9.2.4 No safeguarding will apply in relation to an award of a TLR3.

9.2.5 TLR3 posts will be reviewed at least annually by the pay committee



### **9.3 Restrictions**

Only a teacher on the main pay scale or upper pay scale can be awarded a TLR post. A teacher may not hold TLR1 and TLR2 concurrently, but may hold a TLR3 in addition to either a TLR1 or TLR2 payment. A TLR1 and TLR2 may not be shared between two full-time teachers or between a full-time and a part-time teacher. A TLR can be shared where there is a job share of a post which has a TLR attached. TLRs awarded to part-time teachers must be paid pro-rata at the same proportion as the teacher's part time contract.

### **9.4 Appendix 2 sets out the minimum and maximum values for the 3 TLR bandings**

On the creation of a TLR post the governing body will establish an appropriate pay range and pay points between the appropriate minimum and maximum values.

## **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. The Governing Body will give them a written statement detailing their working time obligations and the standard mechanism used to determine their pay, subject to the provisions of the statutory pay and working time arrangements and by comparison with the school's timetabled teaching week for a full-time teacher in an equivalent post.

10.2 Any additional hours worked by agreement from time to time will be paid at the same rate.

10.3 The head teacher and governing body will ensure that all part-time employees are treated no less favourably than a full-time comparator.

## **11. SHORT NOTICE/DAILY RATE TEACHERS**

11.1 Teachers employed on a day-to-day or other short notice basis (not via an agency) 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.

11.2 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. Teachers who work less than a full day will be hourly paid and will also have their salary calculated as an annual amount which will then be divided by 195 then divided again by the proportion of the full pupil day which they teach to arrive at the hourly rate.

## **12. PAY INCREASES ARISING FROM CHANGES TO THE DOCUMENT**

All teachers are paid in accordance with the statutory provisions of the Document as updated from time to time

## **13. ADDITIONAL ALLOWANCES AND PAYMENTS FOR TEACHERS**

### **13.1 Special Educational Needs (SEN) Allowances**

The Governing Body will award an SEN allowance to a teacher

- in any SEN post that requires a mandatory SEN qualification
- in a special school
- who teaches pupils in 1 or more designated special classes

In any non-designated setting (including any PRU) that is analogous to a designated special class or unit, where the post:

In any non-designated setting that is similar in some respects to a designated special class/unit, an SEN allowance will be awarded where the post:

- Involves a substantial element of working directly with children with special educational needs
- Requires the exercise of a teacher's professional skills and judgement in the teaching of children with special educational needs,
- Has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of other teachers in the school.

The value of an SEN allowance in this school as defined by the School Teachers' Pay and Conditions Document 2016 will be:

*[insert the spot value of SEN allowances paid at the school]*

In determining the value of the SEN allowance the Governing Body has taken into account:

- The structure of the school's SEN provision
- The relative demands of the post
- Whether any mandatory qualifications are required for the post

NB Unqualified teachers cannot hold SEN allowances.

### **13.2 Acting Allowances**

Where any teacher is required to act as head teacher, deputy head teacher or assistant head teacher for a period in excess of three weeks, s/he will receive an additional allowance in order that the total Remuneration is not lower than the minimum of the pay range of the substantive post holder.

Payments will be backdated to the day on which the teacher assumed those duties. No pressure, direct or indirect, will be placed on teachers to act up where such acting up is voluntary on their part.

### **13.3 Recruitment and Retention Incentives and Benefits**

Where the Governing Body wishes to make recruitment and retention payments to teachers, the level, duration and criteria for such payments will be set out clearly. Such payments will be reviewed annually and will be paid in line with the STPCD recommendations.

Recruitment and Retention payments in this school will be determined as and when required.

It will be made 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.

### **13.4 Head teachers**

For Head teachers appointed prior to 1 September 2014, the Governing Body may determine additional payments to the Head teacher where, the following circumstances have not been taken into consideration when setting the Head teacher's pay range:

- Where the school is causing concern
- The Governing Body consider it would have substantial difficulty filling the post or retaining the current Head teacher,
- The Head teacher is appointed as the temporary Head teacher of more than one school

The Governing body will ensure that the total sum of any such payments does not exceed 25% of the amount that corresponds to the Head teacher's current spinal point.

For Head teacher appointments made after 1 September 2014 additional payments will only usually be made for temporary or irregular responsibilities. Such payments will be clearly time-limited from the outset and cease when the responsibility ceases or circumstances change. Safeguarding will not apply to such payments. The total value of the salary and temporary payments made to a head teacher in any one year will not exceed 25% above the maximum of the Head teacher group for this school.

#### **13.4. Residential Duties in Residential Establishments**

The Governing Body will make payments in respect of residential duties in accordance with the Joint National Council for Teachers in Residential Establishments national agreement.

This section only applies to schools covered by the Joint Negotiating Committee for Teachers in Residential Establishments national agreement.

#### **14. SAFEGUARDING OF TEACHER SALARIES**

Where the Governing Body decide to:

- Reduce the number of leadership posts
- Lower the pay range for members of the leadership team
- Delete a TLR post \*
- Reduce the value of a TLR payment
- Delete or reduce an SEN payment
- Change the primary purpose of a teacher paid as a lead practitioner so that it is no longer to model and lead teaching improvement.

The teacher will be entitled to a period of safeguarding as outlined in the School Teachers' Pay and Conditions Document.

Salary safeguarding is not applicable where a teacher has been employed temporarily to cover a higher graded post within the school's staffing structure, and is not deemed permanent in accordance with The Fixed Term Employees (prevention of less favourable treatment) Regulations 2002

\*NB: Safeguarding is not applicable at the end of the fixed term period where TLR 3 has been awarded

NB: The 1% pay award increase for September 2016 shall not apply to that proportion of any teachers salary which comprises a safeguarded sum.

## **15. SALARY SACRIFICE ARRANGEMENTS**

Where the employer operates a salary sacrifice arrangement, a teacher may participate in any arrangement and their gross salary shall be reduced accordingly, in accordance with the provisions of paragraph 49 of the Document.

## **16. APPEALS**

The arrangements for considering appeals on pay determination are set out in Appendix three of this policy.

## **17. MONITORING THE IMPACT OF THE POLICY**

The Governing Body will monitor the outcomes and impact of this policy and an annual written report on the operation of the pay policy, recording pay decisions taken and equality impact, will be available including trends in progression across specific groups of teachers to assess its effect and the school's continued compliance with equalities legislation (an example monitoring form is included at appendix 8).

## **APPENDIX 1 ROLES AND RESPONSIBILITIES**

### **1) Governing Body**

The Governing Body is responsible for:

- Formal approval of the policy following relevant consultation.
- Establishing a pay committee and a pay appeals committee with delegated responsibility and authority to implement the pay policy on its behalf
- Appointing 2 / 3 Governors (known as the Appointed Governors) to review the Head teacher's performance on an annual basis
- Setting and agreeing the school's budget including the staffing budget
- Ensuring that all teachers' salaries (including the head teacher) are reviewed in line with statutory provision.
- considering an annual report, including statistical information, on decisions taken in accordance with the terms of the policy;

### **2) Pay Committee**

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 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 responsibilities of the pay committee will be determined from time to time by the governing body. The current responsibilities are:

- to establish and review annually the school's pay policy and staffing structure and submit it to the Governing Body for approval
- to achieve the aims of the whole school pay policy in a fair and equal manner
- to determine salary on appointment of a teacher
- to apply the criteria set by the whole school pay policy and take decisions regarding the pay of all teachers including the Head teacher, following consideration of the recommendations of appraisal reports and relevant advice.
- to ensure that the head teacher is informed of the outcome of any pay decision and the right of appeal.
- to observe all statutory and contractual obligations;
- to minute clearly the reasons for all decisions and report the fact of these decisions to the next meeting of the full governing body;

- to recommend to the governing body the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of pay discretion;
- to keep abreast of relevant developments and to advise the governing body when the school's pay policy needs to be revised;
- to work with the head in ensuring that the governing body complies with the Appraisal Regulations 2012 (teachers).

The report of the pay committee will be placed in the confidential section of the governing body's agenda and will either be received or referred back. Reference back may occur only if the pay committee has exceeded its powers under the policy.

### **3) Head teacher**

The head teacher is responsible for:

- ensuring that pay recommendations for the deputy and assistant head teacher(s) and classroom teachers are made and submitted to the Pay Committee in accordance with the terms of the policy;
- advising the Pay Committee on its decisions; and
- ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

### **4) Appeals Committee**

The Appeals Committee of the Governing Body is responsible for:

- taking decisions on appeals against the decisions of the Pay Committee in accordance with the terms of the appeals procedure of the policy.

## Appendix 2

## LIVERPOOL TEACHER PAY RATES 2017/18

	<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>		<u>2015/16</u>	<u>2016/17</u>	<u>2017/18</u>
Unqualified Teacher				L5	£ 42,597	£ 43,023	£ 43,454
Point 1	£ 16,299	£ 16,462	£ 16,626	L6	£ 43,665	£ 44,102	£ 44,544
Point 2	£ 18,195	£ 18,377	£ 18,560	L7	£ 44,842	£ 45,290	£ 45,743
Point 3	£ 20,089	£ 20,290	£ 20,492	L8	£ 45,876	£ 46,335	£ 46,799
Point 4	£ 21,985	£ 22,205	£ 22,426	L9	£ 47,022	£ 47,492	£ 47,967
Point 5	£ 23,882	£ 24,121	£ 24,361	L10	£ 48,229	£ 48,711	£ 49,199
Point 6	£ 25,777	£ 26,035	£ 26,295	L11	£ 49,481	£ 49,976	£ 50,476
Main Pay Range				L12	£ 50,621	£ 51,127	£ 51,639
Point m1	£ 22,245	£ 22,467	£ 22,917	L13	£ 51,886	£ 52,405	£ 52,930
Point m2	£ 24,003	£ 24,243	£ 24,728	L14	£ 53,180	£ 53,712	£ 54,250
Point m3	£ 25,933	£ 26,192	£ 26,716	L15	£ 54,504	£ 55,049	£ 55,600
Point m4	£ 27,928	£ 28,207	£ 28,772	L16	£ 55,951	£ 56,511	£ 57,077
Point m5	£ 30,129	£ 30,430	£ 31,039	L17	£ 57,238	£ 57,810	£ 58,389
Point m6	£ 32,832	£ 33,160	£ 33,824	L18	£ 58,677	£ 59,264	£ 59,857
Upper Pay Range				L19	£ 60,132	£ 60,733	£ 61,341
Point 1	£ 35,219	£ 35,571	£ 35,927	L20	£ 61,624	£ 62,240	£ 62,863
Point 2	£ 36,524	£ 36,889	£ 37,258	L21	£ 63,148	£ 63,779	£ 64,417
Point 3	£ 37,872	£ 38,250	£ 38,633	L22	£ 64,716	£ 65,363	£ 66,017
TLR1				L23	£ 66,319	£ 66,982	£ 67,652
Minimum	£ 7,547	£ 7,622	£ 7,698	L24	£ 67,963	£ 68,643	£ 69,330
Maximum	£ 12,770	£ 12,898	£ 13,027	L25	£ 69,652	£ 70,349	£ 71,053
TLR2				L26	£ 71,375	£ 72,089	£ 72,810
Minimum	£ 2,614	£ 2,640	£ 2,666	L27	£ 73,145	£ 73,876	£ 74,615
Maximum	£ 6,386	£ 6,450	£ 6,514	L28	£ 74,958	£ 75,708	£ 76,466
TLR3				L29	£ 76,815	£ 77,583	£ 78,359
Minimum	£ 518	£ 523	£ 528	L30	£ 78,727	£ 79,514	£ 80,310
Maximum	£ 2,577	£ 2,603	£ 2,629	L31	£ 80,671	£ 81,478	£ 82,293
SEN Allowance				L32	£ 82,676	£ 83,503	£ 84,339
Minimum	£ 2,064	£ 2,085	£ 2,105	L33	£ 84,732	£ 85,579	£ 86,435
Maximum	£ 4,075	£ 4,116	£ 4,157	L34	£ 86,826	£ 87,694	£ 88,571
Lead Practitioners				L35	£ 88,984	£ 89,874	£ 90,773
Minimum	£ 38,598	£ 38,984	£ 39,374	L36	£ 91,187	£ 92,099	£ 93,020
Maximum	£ 58,677	£ 59,264	£ 59,857	L37	£ 93,454	£ 94,389	£ 95,333
Leadership				L38	£ 95,766	£ 96,724	£ 97,692
L1	£ 38,598	£ 38,984	£ 39,374	L39	£ 98,100	£ 99,081	£ 100,072
L2	£ 39,564	£ 39,960	£ 40,360	L40	£ 100,549	£ 101,554	£ 102,570
L3	£ 40,552	£ 40,958	£ 41,368	L41	£ 103,060	£ 104,091	£ 105,132
L4	£ 41,562	£ 41,978	£ 42,398	L42	£ 105,643	£ 106,699	£ 107,766
				L43	£ 107,211	£ 108,283	£ 109,366

## **APPENDIX 3 PAY APPEALS PROCEDURE**

It is the intention that the Appeals Procedure will be dealt with promptly, thoroughly and impartially. 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 / Head Teachers should put their appeal in writing to either the Head Teacher 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.

The following list, which is not exhaustive, includes examples of reasons for seeking a review of a pay determination:

That the person or committee by whom the decision was made:

- a) incorrectly applied any provision of the STPCD;
- b) failed to have proper regard for statutory guidance;
- c) failed to take proper account of relevant evidence;
- d) took account of irrelevant or inaccurate evidence;
- e) was biased; or
- f) otherwise unlawfully discriminated against the teacher.

The order of proceedings is as follows:

### **A) Review Stage**

1. The teacher receives written confirmation of the pay determination and where applicable the basis on which the decision was made.
2. If the teacher is not satisfied, he/she should seek to resolve this by discussing the matter informally with the decision-maker within ten working days of the decision.
3. Where this is not possible, or where the teacher continues to be dissatisfied, he/she may follow a formal appeal process.

### **B) Formal Appeal Stage**

1. The teacher should set down in writing the grounds for questioning the pay decision and send it to the person (or committee) who made the determination, within ten working days of the notification of the decision being appealed against or of the outcome of the discussion referred to above.
2. The committee or person who made the determination should provide a hearing, within ten working days of receipt of the written appeal, to consider the appeal and give the teacher an opportunity to make representations in person. Following the hearing the employee should be informed in writing of the decision and the right to appeal.
3. Any appeal should be heard by a panel of three governors who were not involved in the original determination, normally within 20 working days of the receipt of the written appeal notification. The teacher will be given the opportunity to make representations in person. The decision of the appeal panel will be given in writing within 10 working days, and where the appeal is rejected will include a note of the evidence considered and the reasons for the decision.

The procedure for the conduct of formal meetings shall be in line with the general school appeals procedure



## **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 4 DEPARTMENT FOR EDUCATION EQUALITIES ADVICE

### Overview – The Equality Act 2010

1. Schools must not directly discriminate against anyone because of a relevant protected characteristic<sup>1</sup>. For example, if a school chooses not to give a female teacher a pay rise because she is pregnant, that is unlawful. Indirect discrimination is also potentially unlawful where, for example, a school's pay policy, though applied equally to all, might disadvantage a particular group.

2. When formulating pay policies and making pay decisions schools should take care to avoid discriminating against teachers on grounds of their protected characteristics. They should also ensure that part-time teachers<sup>2</sup> and fixed-term teachers<sup>3</sup> are not treated less favourably. At the same time, schools should recognise the benefits of taking equalities considerations seriously. A pay system that contributes to raising educational standards will also recognise and reward teachers fairly and appropriately.

3. All public authorities – including schools – must comply with the new Public Sector Equality Duty (PSED) introduced by the Equality Act 2010<sup>4</sup>. To discharge the duty schools must have due regard to the need to:

(i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act<sup>5</sup>,

(ii) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it<sup>6</sup>,

(iii) foster good relations between people who share a relevant protected characteristic and people who do not share it<sup>7</sup>.

4. The effect of the equality duty is that schools must have due regard to the needs at (i) to (iii) above in relation to the management of their pay policies. Public authorities are also required to prepare and publish equality objectives and publish information, to demonstrate compliance with the general duty<sup>8</sup>. Complying with the PSED will also assist schools in avoiding direct or indirect discrimination.

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<sup>1</sup> Protected characteristics are defined by the Equality Act 2010.

<sup>2</sup> Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

<sup>3</sup> Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.

<sup>4</sup> Section 149 of the Equality Act 2010.

<sup>5</sup> Applies to all protected characteristics.

<sup>6</sup> Applies to age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

<sup>7</sup> As per 6 above.

<sup>8</sup> The Equality Act 2010 (Specific Duties) Regulations 2011.

## What this means for teachers' pay

5. The duty to have due regard to the needs set out above means in the context of teachers' pay that, whenever pay policies are amended or pay decisions made for individuals, decision-makers and appraisers in schools should assess whether there are implications for people with particular protected characteristics. In particular, equality should be considered in relation to:

- **Objective setting** – the nature and weighting of performance objectives agreed during a teacher's appraisal should be non-discriminatory and should provide teachers with an equal opportunity to access pay progression. This will have implications for the training of appraisers and for the moderation of the appraisal arrangements at the school;
- **Pay progression criteria** – the nature and degree of challenge of pay progression criteria should be considered to avoid indirect discrimination.
- **Recommendations and decisions on teachers' pay progression** – the outcomes should be recorded and reported, taking account of the profile/characteristics of those who are granted pay progression and those who do not receive pay progression;
- **The nature and scale of pay progression of teachers at the school** – in particular, where some teachers receive accelerated pay progression (e.g. double-jumping), the governing body should look at the profile/characteristics of the teachers concerned as against other teachers not in receipt of accelerated progression;
- **Appeals** – both in terms of teachers accessing the appeals process and the outcome of pay appeals at the school (the Department has produced additional departmental advice aimed at supporting schools with the appeals process).

6. In that regard it is good practice for schools to record what steps they undertake to avoid discrimination before and at the time that they develop policy and take decisions, and monitor the effectiveness of those steps in eliminating discrimination - they should also keep these under review on a continuing basis. Equality monitoring is the most effective and efficient method of identifying potential inequality in workplace policies and procedures. The Equality and Human Rights Commission (EHRC) has published a considerable amount of information to help employers undertake equality monitoring. Once potential inequalities have been identified, schools should take steps to amend arrangements in order to avoid discrimination. On-going equality analysis can assist schools in identifying any potential inequality and would help demonstrate that the school is attempting to eliminate discrimination and advance equality etc. A breakdown of pay decisions according to each protected characteristic (where applicable) would provide an initial snap-shot. Comparisons year on year would then show trends and may identify potential discriminatory practices or procedures.

7. It is also important that considerations about equality issues, either at a system level or for individual teachers, take account of the cumulative effect of decisions over time. For example, individual pay progression decisions in a particular year may in themselves be taken in accordance with the school's pay policy. However, when all of the pay decisions in a school are looked at over a number of years, it may become apparent, for example, that a greater proportion of men received higher rates of pay progression or faster pay progression than women. This kind of pattern may be an indication of some form of inequality in the decision-making process and should come to light if the PSED is properly discharged. Indirect discrimination in pay decisions is more common than direct discrimination and is likely to be highlighted by annual equality monitoring of pay decisions.

8. Although, as set out above, it is important that schools embed equality throughout their management of the appraisal and pay determination process, there are some specific key areas where schools will want to take particular care in terms of ensuring that equality issues are properly considered and unlawful discrimination avoided.

### **(i) Non-portability of salary**

9. Since September 2013, where a teacher moves from one school to another, the new school has no longer been required to match the teacher's previous salary. This new flexibility has enabled schools to better match an appropriate salary level to the specific post on offer. However, when considering new appointments and appropriate levels of salary, decisions must be taken within the context of ensuring that teachers are not discriminated against in that process on the ground of a protected characteristic. An example of this might be where a teacher returns to a school following a career break. Although it is good practice for a teacher and a school to agree the terms on which the teacher will return from the break, schools should also take into account the potential for indirect discrimination.

10. Schools should avoid discriminating against teachers returning to the profession following a career break whether they return to the same school or to another school. Blanket policies against pay portability are likely to disadvantage women teachers who have taken a break from teaching to give birth and/or to care for their children.

### **(ii) Teachers who are on maternity or long-term disability or sickness absence**

11. Where a teacher is away from school because of maternity leave, it is unlawful for the school to deny that teacher an appraisal and subsequent pay progression decision **because of** her maternity. When a teacher returns to work from maternity leave, the school must give her any pay increases that she would have received, following appraisal, had she not been on maternity leave.

12. Schools need to take a practical and flexible approach to conducting appraisals and making pay decisions for those absent on maternity leave, including where a teacher has been absent for part or all of the reporting year.

13. In those circumstances, schools should ensure that the absent teacher receives fair treatment while ensuring the integrity and robustness of the school's appraisal process for all teachers. When considering these options, schools should seek to ensure that they minimise bureaucracy for all involved. Schools should consider conducting appraisals prior to individuals departing on maternity leave, even if this is early in the appraisal year, and basing any appraisal and pay determination on the evidence of performance to date in that appraisal year. Account could also be taken of performance in previous appraisal periods if there is very little to go on in the current year. However, schools should not require teachers to use Keeping in Touch (KIT) days for the purposes of appraisal.

14. Schools should ensure that their pay and appraisal policies incorporate any adjustments which can reasonably be made to give a teacher who is absent for disability related reasons an equal opportunity to participate in appraisal and to access pay progression. While there is no equivalent of the "maternity equality clause" (i.e. the clause that deems a woman to have received a pay rise

to which she would have been entitled had she not been on maternity leave) in the Equality Act, schools should consider utilising the same range of options outlined above for teachers on maternity leave.

15. When a teacher returns to work following a disability related absence, the school must not refuse a pay increase that the teacher would have received, following appraisal, had he or she not been absent for a reason related to disability, if the reason for the refusal is the teacher's disability or the refusal cannot be objectively justified.

### **(iii) Equal pay considerations**

16. Even where individual schools have robust pay policies in place and make pay decisions for individual teachers that are compliant with the direct discrimination provisions in the Equality Act, there is still the possibility for equal pay issues to arise. This may be where, for example, teachers seek to demonstrate that the pay policy in one school disadvantages teachers in that school compared to teachers in another employed by the same employer; and the former school had a greater proportion of either men or women affected by the respective pay policy. At this point, in order to successfully defend the claim, the employer of the teachers in both schools would need to be able to show objective justification for the difference in pay.

17. The principal means of preventing equal pay claims is for schools to ensure that individual pay decisions are fully compliant with the Equality Act as set out above, and that the duty to have due regard is discharged. Schools will need to satisfy themselves that pay decisions year on year are not indicating a pattern that might cause concern. This may be, for example, where a disproportionately higher number of men than women are receiving progression generally or higher rates of progression.

18. Schools should consider identifying:

- the pay profile of teachers by age, disability, race and gender;
- the reasons that teachers with different protected characteristics are rewarded differently if that is the case;
- whether teachers who share particular protected characteristics are being treated less favourably than other teachers.

19. The government is clear that the duties on schools and employers should not be overly burdensome and schools and local authorities will need to consider how to make best use of the data they already collect in relation to pay and how this may change as pay policies and schools' confidence in using and refining them mature over time.

**APPENDIX 5**

**SCHOOL STAFFING STRUCTURE: -**

**APPENDIX 6 – Example Pay Statement**

\_\_\_\_\_ School  
**Annual Pay Statement**

Name: \_\_\_\_\_

Job title: \_\_\_\_\_

Effective Date: 1 September \_\_\_\_

<p><b>Point on pay scale from 1 September</b></p> <p>*Unqualified Teacher Scale                  Main Pay Range                  Upper Pay Range                  Lead Practitioner Pay Range (as determined)                  Leadership Pay Range                  *delete as appropriate</p>	
<b>Value</b>	£

<b>Allowance (delete as appropriate)</b>	
SEN allowance	<b>Value: £</b>
Permanent TLR Payment (TLR1, TLR2) (Job Description Attached)	<b>Value: £</b>
If Permanent TLR is awarded while the teacher occupies a different post in the temporary absence of the post- holder, the dates or circumstances in which the TLR will come to an end.	<b>Value: £</b>  <b>End Date:</b> <b>Circumstance:</b>
Temporary TLR (TLR3) (Job Description Attached)	<b>Value: £</b>  <b>End Date:</b> <b>Circumstance:</b>
Recruitment or Retention payment	<b>Value: £</b>  <b>Review Date:</b>
Safeguarding payment	<b>Value for current year: £</b>  <b>End Date:</b>
Other Allowance (with reference to STPCD)	<b>Value: £</b>

<b>Total salary</b>	<b>Value: £</b>
---------------------	-----------------

Signed on behalf of the Governing Body: .....

Received: Name in capitals: .....

Date: .....

*(copy to be held on personnel file)*

**APPENDIX 7  
UPPER PAY RANGE APPLICATION FORM**

Teacher's Details:

Name\_\_\_\_\_

Post\_\_\_\_\_

PM/Appraisal Details:

Years covered by planning/review statements

Schools covered by planning/review statements

Declaration:

I confirm that at the date of this request for assessment to cross the threshold I meet the eligibility criteria and I submit *\*\*Details of evidence to support application including performance management/appraisal planning and review statements covering the relevant period.*

Applicant's signature\_\_\_\_\_

Date\_\_\_\_\_



## UPPER PAY RANGE PROGRESSION CRITERIA

### (1) Professional attributes

CRITERIA	EVIDENCE OF IMPACT	REFERENCE TO TEACHER STANDARDS
Contribute significantly, where appropriate, to implementing workplace policies and practice and to promoting collective responsibility for their implementation		

### (2) Professional knowledge and understanding

CRITERIA	EVIDENCE OF IMPACT	REFERENCE TO TEACHER STANDARDS
Have an extensive knowledge and understanding of how to use and adapt a range of teaching, learning and behaviour management strategies, including how to personalise learning to provide opportunities for all learners to achieve their potential.		
Have an extensive knowledge and well-informed understanding of the assessment requirements and arrangements for the subjects/curriculum areas they teach, including those related to public examinations and qualifications.		

CRITERIA	EVIDENCE OF IMPACT	REFERENCE TO TEACHER STANDARDS
Have up-to-date knowledge and understanding of the different types of qualifications and		

specifications and their suitability for meeting learners' needs.		
Have a more developed knowledge and understanding of their subjects/curriculum areas and related pedagogy including how learning progresses within them.		
Have sufficient depth of knowledge and experience to be able to give advice on the development and wellbeing of children and young people.		

(3) Professional skills

CRITERIA	EVIDENCE OF IMPACT	REFERENCE TO TEACHER STANDARDS
Be flexible, creative and adept at designing learning sequences within lessons and across lessons that are effective and consistently well-matched to learning objectives and the needs of learners and which integrate recent developments, including those relating to subject/curriculum knowledge.		
CRITERIA	EVIDENCE OF IMPACT	REFERENCE TO TEACHER STANDARDS
Have teaching skills which lead to learners achieving well relative to their prior attainment, making progress as good as, or better than, similar learners nationally.		

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

Evidence of how the above criteria has been applied over a sustained period?
Evidence of good to outstanding judgements for quality of teaching?

**APPENDIX 8**

**MONITORING INFORMATION**

.....School (September .....) )

Please indicate the numbers in each Ethnic Group		Total Number of Staff <b>eligible for assessment</b>				Total Number of staff <b>Successful</b>				Total Number of staff <b>Unsuccessful</b>			
		MPR	*UPR App	UPR	L/Ship	MPR	*UPR App	UPR	L/Ship	MPR	*UPR App	UPR	L/Ship
<b>White</b>	<b>British</b>												
	<b>Irish</b>												
	<b>Any other white background</b>												
<b>Black or Black British</b>	<b>Caribbean</b>												
	<b>African</b>												
	<b>Any other black background</b>												
<b>Mixed</b>	<b>White and Black Caribbean</b>												
	<b>White and Black African</b>												
	<b>White and Asian</b>												
	<b>Any other mixed background</b>												
<b>Asian or Asian British</b>	<b>Indian</b>												
	<b>Pakistani</b>												
	<b>Bangladeshi</b>												
	<b>Any other Asian background</b>												
<b>Chinese or other ethnic group</b>	<b>Chinese</b>												
	<b>Other</b>												

<b>Please indicate the numbers in each Age band</b>												
16 – 24												
25 – 34												
35 – 44												
45 – 54												
55 –64												
65 +												
<b>Please indicate the numbers in each Gender</b>												
Male												
Female												
<b>Please indicate the numbers by full time / part time staff</b>												
Full Time												
Part Time												
<b>Are any of the staff classed as disabled</b>												
Yes												
No												

\* UPR Threshold Applications