



Pay Policy

The Diamond Learning Partnership Trust

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Contents

1. Aims	3
2. Legislation and guidance	4
3. Definitions	4
4. Roles and responsibilities	4
5. How we will decide pay on appointment.....	5
6. How we will decide on pay progression.....	5
7. Moving to the upper pay range	7
8. Additional allowances	9
9. Leadership pay	11
10. Support Staff Pay	11
11. Salary safeguarding arrangements	13
12. Information to be included in pay statements	13
13. Appealing a decision on pay progression.....	14
14. Monitoring arrangements.....	14
15. Links with other policies.....	14
Appendix A	15
Appendix B	16
Appendix C	17

1. Aims

This policy sets out the framework for making decisions on teachers' and support staff pay. It has been developed to comply with current legislation and the requirements of the School Teachers Pay and Conditions Document (STPCD) and the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book).

This policy applies to all members of staff within the Trust. In the event of any conflict between this policy and the STPCD or the Green Book, this policy shall take precedence. For the avoidance of doubt, this policy does not form part of the terms and conditions of employees' employment with the Trust and is not intended to have contractual effect.

The policy aims to:

- Clearly explain how we will determine teachers' and support staff pay and how decisions will be made based on performance where relevant
- Set out a clear framework for pay and progression throughout the school, while minimising the impact on workload for all concerned

Adopting this policy will:

- Maximise the quality of teaching and learning at our school
- Support the recruitment and retention of a high-quality workforce
- Enable us to recognise and reward staff appropriately for their contribution
- Help to ensure that decisions on pay are made in a fair, just and transparent way, while eliminating unnecessary bureaucracy for all concerned

Pay decisions for teachers and support staff are made by the Headteacher, as advised by the HR (People) Department or the Chief Executive Officer in the case of pay decisions for Headteachers and Central Staff and appeal decisions are made by the Pay Appeal Panel. The Board of Directors have authorised the Chief Executive Officer and Headteachers to administer this policy (in line with the terms of reference set out in Appendix B).

2. Legislation and guidance

As an academy, we are free to determine our own approach to deciding teachers' pay but has chosen to comply with the [STPCD](#) and the Green Book. It is also based on the [model pay policy](#) created by the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

The policy also complies with:

- The [Employment Relations Act 1999](#), which establishes a number of statutory work rights
- The [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#) and the [Fixed-Term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#), which require us to ensure part-time and fixed-term workers are treated fairly
- The [Equality Act 2010](#), which requires schools to have due regard to the need to eliminate discrimination and advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it
- The [Seven Principles of Public Life](#), which require those conducting the procedures to be objective, open and accountable
- The [Data Protection Act 2018](#), which sets out requirements on how we handle personal data

Our procedures for addressing grievances in relation to pay are based on the Acas grievance [code of practice](#) and are set out in our Staff Grievance Policy.

Our procedures for assessing early career teachers' performance and progress comply with the DfE's statutory guidance on [Induction for Early Career Teachers \(England\)](#).

3. Definitions

- **Teacher** includes all staff qualified and appointed to teach at the school. This includes the leadership team and the headteacher, unless otherwise stated
- **Teaching and learning responsibility** is a payment awarded to a classroom teacher for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable
- **Main and upper pay ranges** are the ranges on which a classroom teacher's salary will be set
- **Unqualified teacher pay range** is the range on which an unqualified teacher's salary will be set
- **Leadership group** comprises the headteacher, deputy headteacher and assistant headteacher(s)
- **Support Staff** include all non-teaching staff, that work within the school or for the Trust central team.

4. Roles and responsibilities

Line managers will make recommendations on a teacher's pay following the teacher's appraisal.

Final pay decisions are made by the Chief Executive Officer representing the governing board.

Responsibility for making pay decisions is delegated to the Chief Executive Officer and ratified by the full governing board.

5. How we will decide pay on appointment

The Headteacher, advised by the HR (People) Department will determine the pay range for a vacancy before advertising it. On appointment, the Headteacher or appropriate line manager will determine the starting salary within that range to be offered to the successful candidate.

To determine the salary, the Headteacher will take into account a range of factors, including, but not limited to:

- The nature of the post
- The level of qualifications, skills and experience required
- Market conditions
- The wider academy context

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

5.1 Unqualified teachers

Unqualified teachers will be paid on the unqualified teacher pay range in accordance with the STPCD. Where an unqualified teacher gains qualified teacher status (QTS) while in post, they will be transferred to a salary on the main pay range for teachers, which will be equal to or higher than their previous unqualified teacher salary and any other payable allowances.

In cases where an unqualified teacher gains QTS retrospectively, they will be paid a lump sum calculated as the difference (if any) between their unqualified teacher salary and the salary they would have been paid as a qualified teacher for the same period (not including any allowances). The lump sum will cover the period from which they obtained QTS to the date the lump sum is paid.

6. How we will decide on pay progression

6.1 Annual reviews

The Headteacher will ensure that:

- Each teacher's salary is reviewed annually, with effect from between 1 September and no later than 31 October each year
- All teachers are given a written statement setting out their salary and any other financial benefits to which they are entitled, in alignment with our annual appraisal period

Pay progression will be decided based on the teacher's performance during the previous appraisal period. The salary will be decided with reference to the appraisal reports and the pay recommendation they contain.

When making decisions, the Headteacher will take into account:

- The performance of the teacher over the appraisal period, using evidence of their performance against their objectives and the Teachers' Standards collected throughout the appraisal period.
- The pay recommendation made in the teacher's appraisal report
- Advice from the senior leadership team
- Any changes to the responsibilities and expectations of the teacher's role
- The wider school context, including the budget

Teachers should expect to receive annual pay progression within their pay range. We will only withhold pay progression in cases of poor performance. Please refer to our performance management policy for information on how teachers whose performance is unsatisfactory will be supported Trust Policies - The Diamond Learning Trust.

In order to be fair and transparent, assessment of performance will be properly rooted in evidence. The evidence we will use will include (but is not limited to) self-assessment, peer review, tracking pupil progress, lesson observations.

We will ensure fairness through quality assurance and moderation by a Senior Leader or the Headteacher and the HR (People) Department.

Teachers' performance management reports will contain pay recommendations. Final decisions about whether or not to accept a pay recommendation will be made by the Headteacher, having regard to the performance management report and taking into account advice from the Senior Leadership Team. The Headteacher will consider its approach in the light of the Academy's budget and ensure that appropriate funding is allocated for pay progression at all levels.

Judgements of performance will be made against the extent to which teachers have met their individual objectives and the relevant standards and how they have contributed to the impact on pupil progress and their impact on wider outcomes for pupils.

Teachers will be eligible for a pay increase if they meet all their objectives, are assessed as fully meeting the relevant standards and all teaching is assessed as at least good with some teaching being assessed as outstanding. The rate of progression will be differentiated according to an individual teacher's performance.

6.2 Mid-year reviews

Reviews may take place at other times of the year if an individual's role or job description changes. Changes include going part-time and taking on or removing additional roles and responsibilities.

A written statement will be given after any review and, where applicable, we will give information about why it was carried out.

6.3 Early career teachers

Early career teachers (ECTs) are not subject to annual appraisal and pay review cycles during their induction period, as set out in the [statutory induction process for ECTs](#).

ECTs may be awarded pay progression at the end of the first year of their induction, and/or after they have completed their induction. However, this is not automatic or guaranteed.

6.4 Part-time teachers

Part-time teachers are teachers who are employed on an ongoing basis at the school but who work less than a full working week.

Part-time teachers will be given 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.

6.5 Short notice/supply teachers

Teachers who are 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 will be calculated pro-rata.

6.6 Particular Circumstances

Where an employee is absent due to long term sickness absence at the time of a salary review, decisions will be contingent upon individual circumstances and based on the employee's performance during relevant periods of attendance during the academic year in question.

Where an employee is absent due to maternity leave, decisions will be no less favourable than if the employee had not been absent due to reasons related to maternity.

7. Moving to the upper pay range

7.1 Making applications

All qualified teachers can apply to be paid on the upper pay range, and any application will be assessed in line with this policy. It is up to each teacher to decide whether they wish to apply to be paid on the upper pay range.

Any qualified teacher who has been on top of Main Pay Scale for two years 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.

Applications may be made once a year. All applications should include the results of reviews or performance management, including any recommendation on pay (or, where that information is not applicable or available, a statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria).

Processes and procedures

One application may be submitted biannually from any teacher who has been on Main Pay Scale 6 for a minimum of 2 years. The closing date for applications is normally 30th November each year; however, exceptions will be made in particular circumstances, e.g. those teachers who are on maternity leave or who are currently on sick leave.

The process for applications is:

- Complete a written UPS Application Form confirming your intention that you wish to be considered to progress on to the Upper Pay Range.
- Submit the application and supporting evidence to your Headteacher by the cut-off date of 30th November who will submit the application with a supporting statement to the HR Office.
- You will receive confirmation of receipt of your application and notification of the name of the assessor (if this is not the Chief Executive Officer) from the HR (People) Department within 5 working days.
- Applications will be assessed from 1st December.
- The assessor will assess the application, which will include a recommendation to the Chief Executive Officer (if the Chief Executive Officer is not the assessor).
- The application, evidence and recommendation will be passed to the Chief Executive Officer for moderation purposes (if the Chief Executive Officer is not the assessor).
- The Chief Executive Officer will make the final decision.
- Teachers will receive written notification of the outcome of their application no later than 15th December or 10 working days (from 1st December) whichever is sooner.
- Where the application is unsuccessful, the written notification will include the areas where it was felt that the teacher's performance did not satisfy the relevant criteria set out in this policy (see 'Assessment' below).
- If requested, oral feedback will be provided by the assessor. Oral feedback will be given within 10 school working days of the date of notification of the outcome of the application. Feedback will be given in a positive and encouraging environment and will include advice and support on areas for improvement to meet the relevant criteria.
- Successful applicants will move to the minimum of the UPS Pay Range (or next UPS Pay Range where they are already paid on the UPS Pay Range and are making an application to progress) backdated to 1st September.

Unsuccessful applicants can appeal the decision. Any appeal against a decision not to move the teacher to the Upper Pay Range will be heard under the appeal arrangements set out in Appendix A.

All applications will be reviewed by line managers and a senior leader.

We will treat all applications fairly and impartially.

7.2 Assessment

An application will be successful where the Chief Executive Officer is satisfied that:

- The teacher is highly competent in all elements of the relevant standards; and
- The teacher's achievements and contributions are substantial and sustained

For the purpose of this policy:

- **'Highly competent'** means:
Performance which is good enough to provide coaching, mentoring and advice to other teachers, 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
- **'Substantial'** means:
The teacher's contributions are of real importance, validity or value to the school; play a critical role in the life of the school; provide a role model for teaching and learning; make a distinctive contribution to the raising of pupil standards; take advantage of appropriate opportunities for professional development and use the outcomes effectively to improve pupils' learning
- **'Sustained'** means:
The teacher's contributions have been maintained over two academic years.

Further information, including information on sources of evidence, is contained within the school's Performance Management policy.

Moving up the Upper Pay Threshold:

- Progression on the Upper Pay Scale is not automatic and will be subject to an UPS Application and Assessment.
- Teachers are invited to apply biennially to cross over the thresholds by 30th November and will follow the process and procedures outlined above.

7.3 The decision

The assessment will be made and the applicant notified within 10 school working days.

The decision will be made by the Chief Executive Officer who will also determine where the teacher will be placed on the upper pay range. Considerations will include the nature of the post, the responsibilities it entails, and the qualifications, experience and skills of the teacher.

If successful, applicants will move to the upper pay range from the start of the next term. Pay will be backdated to the 1st September.

If unsuccessful, feedback will be provided by line managers in a 1-to-1 meeting, within 10 working days of the decision notification. The line manager will set out why the application was unsuccessful and provide advice on how the teacher can improve when making another application in the future.

Decisions will also be communicated in writing. Any appeals against a decision not to move a teacher to the upper pay range are covered by the Trust Appeal Arrangements, found in Appendix A.

8. Additional allowances

Teaching and Learning Responsibility Payments (TLRs)

TLR1s and TLR2s will be awarded to posts identified by the Academy. The values of the TLRs to be awarded are as notified by the Academy from time to time¹.

To qualify for a TLR payment the Headteacher must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and is:

- a. 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 other than the teacher assigned classes or groups of pupils; and
- e. involves leading, developing, and enhancing the teaching practice of other staff.

A teacher cannot hold a TLR1 and a TLR2 concurrently, but a teacher who receives either a TLR1 or a TLR2 may also hold a concurrent TLR3. A TLR can be based on a job description that includes several different areas of significant responsibility.

In addition, before awarding a TLR1 payment, the Headteacher must be satisfied that the significant responsibility defined above includes line management responsibility for a significant number of people.

TLR3s are awarded on a fixed term basis for clearly time-limited academy improvement projects, or one-off externally driven responsibilities. The duration of the fixed term will be established at the outset and payment will be made on a monthly basis for the duration of the fixed term.

TLRs for Part Time Teachers: A TLR is a payment integral to a post in the Academy's staffing structure and therefore may only be held by two or more people when job sharing that post. TLRs awarded to part-time teachers will be paid pro-rata at the same proportion as the teacher's part-time contract.

Special Educational Needs allowance

The Headteacher may award a SEN allowance to a classroom teacher who would qualify for such an allowance under the relevant provisions of the STPCD. Where a SEN allowance is to be paid, the Headteacher, advised by HR, will determine the value of the allowance, taking into account the structure of the Academy's SEN provision and the following factors:

1. Whether any mandatory qualifications are required for the post.
2. The qualifications or expertise of the teacher relevant to the post; and
3. The relative demands of the post.

Unqualified teachers' allowance

The Headteacher may pay an unqualified teachers' allowance to unqualified teachers when the relevant Headteacher considers their basic salary is not adequate, having regard to their responsibilities, qualifications and experience.

Such an allowance may be awarded where the teacher has:

- a. Taken on a sustained additional responsibility which is:
 - focused on teaching and learning; and
 - requires the exercise of a teacher's professional skills and judgement; or
- b. Qualifications or experience which bring added value to the role undertaken.

Unqualified Teacher's Pay

The Headteacher, advised by HR, will pay an unqualified teacher on one of the employment-based routes into teaching on the unqualified teachers' scale. The Headteacher, advised by HR, will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value.

Progression on the unqualified professional scale is not automatic and will be subject to an annual performance review. In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives.

Judgments will be properly rooted in evidence. As unqualified teachers move up the scale, this evidence should show:

- improvement in teaching skills.
- an increasing positive impact on pupil progress.
- an increasing impact on wider outcomes for pupils.
- improvements in specific elements of practice identified to the teacher.
- an increasing contribution to the work of the school.
- an increasing impact on the effectiveness of staff and colleagues.

Information on sources of evidence is contained within the school's appraisal policy.

The Chief Executive Officer will be advised by the Headteacher to make all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Headteacher will be able to objectively justify their decisions.

Part Time Teachers

Teachers employed under permanent or fixed term contracts who work less than a full working week at the Academy/Trust (in comparison with a full-time teacher in an equivalent post) are deemed to be part-time. The HR (People) Department will give them a written statement detailing their working time obligations and the standard mechanism used to calculate their pay on a pro-rata basis.

Short Notice / Supply Teachers

Teachers employed on a day-to-day or other short notice basis will be paid daily calculated on the assumption that:

- A full working year consists of 195 days.
- Directed time is 1265 hours per annum.
- A working day equals 6.5 hours.
- A morning consists of 3 teaching hours.
- An Afternoon consists of 2 teaching hours.
- Daily rates of pay are calculated as FTE salary divided by 195 days.
- Hourly rates of pay are calculated as FTE salary divided by 1265 hours.

9. Leadership Pay

The Headteacher/Head of School and any Deputy Headteachers and Assistant Headteachers in this Academy will each be assigned a pay scale which falls within the Leadership Group Pay Range set out in the current STPCD.

The Headteacher pay scale will be set by the Chief Executive Officer, advised by HR, after considering the appropriate Headteacher Group in the current STPCD and the needs of the Academy and can be changed to attract or retain a Headteacher or when there have been significant changes in the responsibilities of the Headteacher.

The pay scale for Deputy and Assistant Headteachers will be set by the Chief Executive Officer after considering the current STPCD and the Headteacher's pay scale and can be changed to attract or retain a Deputy or Assistant Headteacher or when there have been significant changes in the responsibilities of a serving Deputy or Assistant Headteacher.

All members of the Leadership Group must demonstrate sustained high quality of performance with particular regard to leadership, management and pupil progress at the Academy. There will be no automatic pay progression for teachers in the Leadership Group: progression (if any) up the pay range will depend upon performance in relation to agreed objectives. In addition, the Chief Executive Officer, in their absolute discretion, reserves the right to award bonus payments where there is evidence of exceptional performance.

9.1 Chief Executive Officer

Chief Executive Office and Deputy CEO, see Appendix C.

10. Support Staff and Central Team Pay

The Headteacher/Line Manager, advised by HR, will determine the pay grade of support staff on appointment in accordance with the suggested support staff pay scales of the appropriate County Council and which the Headteacher considers appropriate for the post. The appeals process is set out in Appendix A within this policy.

The Trust recognises its legal obligations in relation to equal pay and equal treatment. The Headteacher will be responsible for ensuring that support staff grading is regularly reviewed and that appropriate advice regarding the grade of a post is obtained from the HR Office when:

- New posts are created.
- A review indicates that an existing post has changed to the extent that an evaluation is felt to be necessary; and
- A member of staff requests a review of the grade of their post.

It is understood that the advice received in relation to the grading of posts under these circumstances will be based on a detailed job evaluation.

Determination of starting salary on initial appointment to the Trust/Academy

Support staff new to the Trust or one of its academies will normally be placed on the minimum point of the scale to which they have been appointed. However, the Headteacher has discretion to, on the recommendation of the Chief Executive Officer, give credit for skills and experience which are regarded as relevant and of particular value to the Academy.

Annual salary progression

- Incremental progression to the top of salary scales is not automatic and will be subject to an annual performance review.
- It will be possible for a 'no incremental progression' determination to be made without recourse to the capability process.
- Annual progression within a salary scale is intended to be recognition that members of staff have met the requirements of their job and made a full contribution to the work of the Academy and/or Trust.
- Support staff who meet this requirement will be entitled to progress to the next point on scale on 1st April each year on the basis of satisfactory service throughout the previous calendar year. The

Headteacher will make arrangements to ensure that a review of performance is undertaken during the Spring Term each year as part of this process.

- There are separate arrangements for staff in their first year of service when the payment of the first increment must be delayed until six months' service (probationary period) has been accumulated.
- It will be possible for staff to pass the probationary period with no pay progression awarded.

Circumstances in which points will be delayed or withheld

The Chief Executive Officer/Headteacher has the power, in exceptional circumstances, to withhold or delay the award of an annual salary point in cases where service during the course of the previous calendar year has been found to be unsatisfactory. The Chief Executive Officer /Headteacher will require that there is evidence to demonstrate a full and proper process.

10.1 Support Staff and Central Team working in a part time capacity

Staff working throughout the year

Part-time staff have identical entitlements in relation to pay as their full-time colleague except that salary is paid on a pro rata basis to reflect the proportion of time worked.

Salary entitlement for staff working all year round on a part-time basis is as follows:

$$\frac{\text{Contracted hours of work}}{37} \times \text{Annual salary} = \text{Pro rata salary}$$

The resultant salary from this calculation includes the entitlement to annual leave, depending on the contract (see personal terms and conditions of employment for the correct calculation).

Annual leave entitlements are normally taken during Trust holiday periods. Staff must ensure that they follow Trust procedures for requesting holiday (further details can be found in the DLPT Discretionary Leave of Absence Policy and the DLPT Staff Diary).

Term time only staff

The same conditions apply to staff employed on a term time only basis except that the calculation reflects the shorter working year and a pro rata paid leave entitlement:

$$\frac{\text{Contracted hrs of work}}{37} \times \frac{\text{Wks worked} + \text{Pro rata leave entitlement}}{52} \times \text{Annual salary} = \text{Pro rata salary}$$

10.2. OVERTIME

Applied to all employees on the support staff pay scale and part time teachers.

Overtime must be approved prior to being undertaken by the employee's line manager. And will be paid for claiming periods of 15 minutes.

Overtime claims must be made within thirty working days (excluding school holidays) claims beyond this time will not be honored.

11. Salary safeguarding arrangements

We will abide by the STPCD and safeguard teacher salaries if the post is revised or removed as a result of:

- Closure of the school or education establishment
- Organisational restructuring

Circumstances where higher pay is safeguarded include a removed or reduced:

- Teaching and learning responsibility (TLR) payment: TLR1 or TLR2
- Special educational needs (SEN) allowance
- Unqualified teacher's allowance
- Leadership pay range or leading practitioner pay range

We will follow the STPCD when applying and managing salary safeguarding.

For Support Staff and Central Team staff, we will go above the recommendations of the National Agreement on Pay and Conditions (The Green Book), and safeguard salaries for a period of 12 months where the post is revised or removed as a result of:

- Closure of the school or educational establishment
- Organisational restructuring

12. Information to be included in pay statements

When pay is changed, teachers will receive a written statement confirming this as soon as possible and not later than 4 weeks after the decision.

The statement will be issued by the Chief Executive Officer.

For all teachers, statements will include:

- Payments or other financial benefits awarded
- Any safeguarded sums
- Information on where the teacher can access a copy of the school's staffing structure and pay policy

Statements for members of the leadership group and teachers paid as leading practitioners will also include:

- The basis on which the salary has been determined
- The criteria on which their salary will be reviewed in future

Statements for teachers appointed to the leadership group or paid as a leading practitioner for a fixed period or under a fixed-term contract will also include:

- The date that the fixed period or the contract will end, or the circumstances that will lead to the contract ending

Statements for classroom teachers or unqualified teachers who are paid and eligible for allowances as a qualified teacher will also include:

- The teacher's position within the pay ranges
- The nature and value of any allowance received
- The value of any teaching and learning responsibility (TLR) payment awarded and details of what it was awarded for

- Where a TLR was awarded to cover a teacher's absence: the end date, or the circumstances in which it will end
- For TLR3s: a statement that the payment will not be safeguarded
- Statements for unqualified teachers will also include:
 - The teacher's position within the unqualified teachers' pay range
 - The value of any unqualified teacher's allowance awarded and the additional responsibility, qualifications or experience in respect of which the allowance was awarded

13. Appealing a decision on pay progression

Where any member of staff feels that a decision that affects their pay is unfair, they have the right to appeal.

Please see Appendix A.

Appeal decisions do not affect the teacher's statutory employment rights.

14. Monitoring arrangements

This policy will be reviewed and approved annually by the Chief Executive Officer.

The Chief Executive Officer will monitor the outcomes and impact of the policy on a regular basis, including trends in progression across specific groups of teachers, to assess its effect and the school's continued compliance with equalities legislation.

15. Links with other policies

This policy links with our policies on:

- Teacher appraisal
- Support staff appraisal
- Capability Policy
- Early career teacher (ECT) induction

Appendix A: Appeals Procedure

1. PRINCIPLES

- An employee may request a review of his/her pay determination. An employee who wishes to appeal a determination in relation to his/her pay must comply with the procedure under this Policy. The matter should **not** be raised or dealt with under the Academy's Grievance Policy and Procedure. The reasons for seeking a review may include the person or committee who made the decision having:
 - incorrectly applied any provision of the pay policy.
 - failed to have proper regard for statutory guidance.
 - failed to take proper account of relevant evidence.
 - took account of irrelevant or inaccurate evidence.
 - being biased; or
 - unlawfully discriminated against the individual.
- The employee will receive written confirmation of the pay determination and where applicable the basis on which the decision was made. If the employee is not satisfied, he/she should seek to resolve this by raising the matter informally with the Headteacher/Chief Executive Officer within ten working days of the decision. If the Headteacher/Chief Executive Officer considers it necessary, then a meeting will be arranged without unreasonable delay. The employee will be permitted to bring a friend, colleague, Trade Union Representative to any such meeting.
- If the employee is not satisfied with the outcome of the informal discussion with the Headteacher/Chief Executive Officer, then he/she may follow the formal appeal process.

2. FORMAL APPEAL PROCESS

- 2.1 The employee will provide in writing the specific grounds for questioning the pay decision together with evidence which s/he considers should be taken into account. The individual will send his/her appeal letter to the HR Office within ten working days of the pay determination or the informal discussion with the Headteacher/Chief Executive Officer, whichever is later.
- 2.2 Three members of the Trust Board of Directors (who were not party to the original decision) will form the Appeal Panel and hear the appeal.
- 2.3 The appeal hearing should be held without unreasonable delay following receipt of the letter of appeal being received.
- 2.4 The Appeal Panel may invite the Headteacher/Chief Executive Officer to the hearing, and he/she will provide the meeting with any relevant information required. No specific information concerning the remuneration of other members of staff shall be given in the presence of the employee for whom the appeal is being heard. Where the Appeal Panel requests such pay information from the Headteacher/Chief Executive Officer, it will be conveyed confidentially to them alone. The employee may ask questions of the Headteacher/Chief Executive Officer.
- 2.5 The employee will be given the opportunity to make representations in person and may be accompanied by a work colleague or Union Representative if they wish.
- 2.6 The decision of the appeal will be given in writing to the employee, with a copy to the Headteacher/Chief Executive Officer and HR Office. This letter should explain the reasons for the decision.
- 2.7 The decision of the Appeals Panel is final.

Appendix B: Board of Directors – Terms of Reference

The Board of Directors have authorised the Chief Executive Officer and Headteachers to administer this policy on its behalf in line with the terms of reference set out below.

The Directors of the Trust will determine the terms of reference for the Pay Policy. The current terms of reference are:

- To implement the Pay Policy in a fair and objective manner and to consider any individual representations that may be made in respect of pay decisions.
- To undertake an annual pay review for each member of staff based on the criteria set out in the Pay Policy.
- To observe all statutory and contractual obligations, including making arrangements to notify pay decisions to individual members of staff within appropriate timescales.
- To minute clearly the reasons for all decisions and report these decisions to the next meeting of the Directors of the Trust.
- To recommend to the Directors of the Trust the annual budget required for pay purposes, including provision for discretionary pay advancement arising from performance reviews.
- To keep informed of relevant developments including legislation and statutory guidance affecting the Pay Policy and to review and to recommend changes or modification to the Directors of the Trust, as appropriate and at least annually.

Appendix C. Determination of CEO Pay

Determination of the midpoint and salary range for the current year

The midpoint of the salary range for the CEO should be calculated each year as follows:

- The midpoint for the previous year shall be increased by any general increase awarded in the School Teachers Pay and Conditions to the lower and upper limits of the Leader Group Pay Range
- The midpoint shall be further increased or decreased by the ratio of the log of the pupil numbers between the Autumn census in the current and preceding year.

The salary range for the current year will be $\pm 18\%$ of the midpoint salary as determined above.

Determination of the salary of the CEO for the current year

Any change to the salary of the CEO will be on the basis of performance. Good performance will normally result in the CEO's pay being increased by the same percentage as the change in midpoint salary between the current and preceding year. A higher level of performance would normally result in one or more additional increments of 2.5%. If performance is at a lower level (or cannot yet be properly assessed in the case of a new starter) then some or all of the increase in midpoint salary may be withheld.

In this context 'Good' implies a stable performance of academies within the Trust, and a low level of challenge resulting from any schools that join the Trust. A higher level of performance would be demonstrated by some or all of the successful incorporation of challenging schools, improving outcomes from Ofsted inspections, securing improvements in schools that need it, improving performance of established schools or the achievement of high standards of performance in DfE accountability measures. The achievement of any specific objectives will also be taken into account.

In all cases the judgment will be a balanced reflection of the performance of the CEO.

The performance of the CEO will be assessed on an annual basis and allocated to one of the following grades

1. Performance does not currently meet the requirement for grade 2 below. The reasons may include recent appointment, lack of experience, meaning that the CEO is not yet fully competent, a statistically significant decline in the performance of the Trust or significant reduction in the stability of the Trust. In these circumstances the increase due to changes in the midpoint would be withheld or paid only in part.
2. The underlying expectation is that the CEO is fully competent in the role and is performing well, the Trust is stable, and academic performance is maintained at an acceptable level. Under these circumstances pay will increase in line with pay increases for other teaching and leadership roles and the size of the Trust. The salary would be increased by the percentage change in the midpoint salary as described earlier
3. A higher level of performance than that expected would be demonstrated by some or all of the successful incorporation of challenging schools, improving outcomes from Ofsted inspections, securing improvements in schools that need it, improving performance of established schools or the achievement of high standards of performance in DfE accountability measures. In the case of a higher level of performance an additional increment of 2.5% of current salary², or exceptionally more than one increment, would be paid.

In each case the achievement of specific objectives will be taken into account. A specific proposal for increasing or not increasing the CEO's salary will be presented to the Board for approval.

Review

This approach will be reviewed every two years to determine whether it continues to comply with ESFA requirements and guidance and provide the CEO with a competitive salary.

² This is equivalent to the increments in the School Teachers Pay and Conditions for headteachers.