



# WHOLE PAY POLICY

## 2021 - 2022

<b>Author:</b>	Luton Borough Council
<b>Date Updated:</b>	14 <sup>th</sup> January 2022
<b>Updated Guidance:</b>	This policy has now been updated to reflect the changes made to the DfE's 'First aid in Pupil Referral Units, early years and further education' guidance (February 2022).
<b>Approval Level:</b>	Management Committee
<b>SLT Review Date:</b>	7 <sup>th</sup> December 2021 & 19 <sup>th</sup> January 2022
<b>Governance Review Date:</b>	16 <sup>th</sup> December 2021 & 24 <sup>th</sup> February 2022
<b>Governance Approval Date:</b>	16 <sup>th</sup> December 2021 & 24 <sup>th</sup> February 2022
<b>Review Cycle:</b>	Annually
<b>Next Review Date:</b>	November 2022

## **1 Introduction**

1.1 The Management Committee of Avenue Centre for Education will act with integrity, confidentiality, objectivity and honesty in the best interests of the school; will be open about decisions made and actions taken and will be prepared to explain decisions and actions to legitimate, interested persons. Its procedures for determining pay will be consistent with principles of public life: objectivity, openness and accountability.

1.2 The Management Committee has prepared a policy in respect of pay, which recognises the following: -

- The requirements of the School Teachers' Pay and Conditions Document (STPCD)
- The requirements of the NJC Conditions of Service Green Book
- The School Staffing (England) Regulations 2009 (as amended in 2012)
- The Council's Single Status Agreement
- The school's delegated budget
- The current staffing structure of the school
- Legislation in respect of equality and equal pay

Attached to this policy are:

- Appendix 1 - Acting up/honoraria form
- Appendix 2 - Pay appeal procedure
- Appendix 3 - Terms of reference – Pay Board
- Appendix 4 - Application for upper pay range
- Appendix 5 - Model report to Members – performance pay progression
- Appendix 6 - Leading practitioner range
- Appendix 7 - Leadership range

## **2 Background**

- 2.1 The Management Committee of Avenue Centre for Education will operate a policy in respect of its responsibilities as the "relevant body", as defined in the School Staffing Regulations 2012 (and any relevant conditions of service), which will: -
- grade posts appropriately within the appropriate conditions of service (i.e. STPCD, the Green Book and local agreements adopted by Luton Council)
  - take into account pay relativities between posts within the school
  - ensure that discretion in awarding allowances, payments, incentives or honoraria (where appropriate, for Green Book employees only) and the determination of salary and pay progression is exercised in a fair and equitable manner
  - give recognition in line with statutory guidance to assigned increased responsibilities, whether on a temporary or permanent basis
  - take into account, so far as is practicable, pay levels in other schools, both inside and outside Luton Council area, particularly those of a similar type and in a similar neighbourhood
  - ensure the quality of teaching and learning at the school
  - enable the school to recognise and reward employees appropriately for their contribution to the school.
- 2.2 This policy statement will be subject to annual review and consultation with the recognised trades unions.
- 2.3 Having determined the policy set out below, the Management Committee delegates the management of the policy to the Pay Board which will be advised by the Headteacher – see Terms of Reference at Appendix 3. The Pay Board will be responsible for the establishment and review of the Pay Policy, subject to the approval of the Management Committee, and has full authority to take pay decisions on behalf of the Management Committee in accordance with this policy. The Headteacher is responsible for advising and making recommendations to the Pay Board on its decisions. The Headteacher will report to the Committee on those occasions when it may be necessary to exercise delegated responsibility in respect of the school's discretion.
- 2.4 In exercising their delegated responsibilities, the Management Committee requires the Committee to have appropriate regard to the budget approved by the Management Committee and the requirements of employment legislation, particularly the Equal Pay Act, Equality Act 2010, Part Time Workers Regulations, Fixed Term Employees Regulations 2002 and the school's equal opportunities policy. Where Luton Council is the employer, the Management Committee expects the Committee to seek advice from the council where appropriate.
- 2.5 The Management Committee has adopted a whole school approach to matters of pay and will have particular regard to the issue of salary differentials. By adopting such an approach, the Management Committee hopes to ensure that discretion is exercised in a considered and careful manner and avoid potentially divisive initiatives.
- 2.6 Any grievance arising out of this policy, or any pay or grading appeal, will be dealt with under the pay appeals procedure adopted by the Management Committee attached to this policy as Appendix 2. An appeal should be registered within 10 working days of receiving notification of pay or grading.
- 2.7 This policy recognises the diverse types of jobs and roles within a holistic staffing context and is therefore sub-divided for ease of reference into teaching and support staff.

## **3 Teachers - Pay Reviews**

- 3.1 The Management Committee will ensure that each teacher's salary is reviewed annually with effect from 1<sup>st</sup> September, that each teacher is notified of the outcome by no later than 30<sup>th</sup> November each year,

and that all teachers are given written notification of their salary and any benefits to which they are entitled. Reviews may take place at other times of the year to reflect any changes in circumstances or job description that led 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.

- 3.2 Any teacher away from school because of maternity leave must receive any pay increase that she would have received had she not been on maternity leave. Account should be taken of performance in previous appraisal periods if the teacher has been absent for much of the current appraisal year.
- 3.3 Consideration of reasonable adjustments which allow an equal opportunity to participate in appraisal and access to pay progression must be considered for any teacher absent for a disability related reason for much of the current appraisal year.
- 3.4 Where a pay determination leads or may lead to pay safeguarding, the Management Committee will give the required notification as soon as possible and no later than one month after the date of the determination.

#### **4 Starting salary of new appointments**

- 4.1 The Management Committee will determine the pay range for a vacancy prior to advertising it. When advertising, the school will not restrict the pay available for appointees to vacant classroom teacher posts to a specific pay range, other than the lower limit of the main pay range (MPR) and the upper limit of the upper pay range (UPR). On appointment it will determine the starting salary within that range to be offered to the successful candidate.

#### **5 Classroom teachers**

- 5.1 The Management Committee has established the following pay scales for classroom teacher posts paid on the main pay range and upper pay range.

##### **Main Pay Range\***

1	£25,714
2	£27,600
3	£29,664
4	£31,778
5	£34,100
6	£36,961

##### **Upper Pay Range\***

1	£38,690
2	£40,124
3	£41,604

*(\*As amended by the Department for Education's response to the 2021 School Teachers Review Body pay review process).*

- 5.2 The Management Committee will, if necessary, use its discretion to award a recruitment incentive benefit where a post may be hard to fill and/or to secure the candidate of its choice. See section 15.
- 5.3 The Management Committee will apply the principle of pay portability in making pay determinations of all new appointees. It will also exercise its discretion to take into account previous relevant experience in determining the starting point on the appropriate scale.

## **Pay determinations for existing main pay range teachers, effective from 1 September 2021**

5.4 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 teacher's appraisal reports and the pay recommendations they contain. In the case of early career teachers (ECTs), whose appraisal arrangements are different, performance and pay recommendations will be made by means of the statutory induction process. Teachers in their two-year induction period may be awarded pay progression on the successful completion of each year of their statutory induction period. Schools must ensure that ECTs are not negatively affected by the extension of the induction period from one year to two years.

To be fair and transparent, assessments of performance will be properly rooted in evidence. Appraisal objectives will be appropriate to the career stage of the teacher. As a teacher moves up the main pay range, this evidence should show:

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

5.5 The evidence that will be used to inform the assessment of a teacher's performance against appraisal objectives may include:

- lesson observations
- lesson planning
- marking scrutiny
- wider contribution to the school
- impact on the effectiveness of colleagues

5.6 To move up the main pay range one annual point at a time, teachers will need to have made good progress towards/met their objectives.

5.7 Any teacher who appears unlikely to meet their objectives during the appraisal year, will be identified, given written feedback on the areas for improvement (e.g. written lesson observation) and provided with practical support to reach the necessary standards of performance. If this intervention proves unsuccessful, taking all of the circumstances into account, the assessor may conclude that no pay progression is appropriate.

5.8 If the evidence shows that a teacher has performed exceptionally well, the Pay Board will consider the use of its discretion to award enhanced pay progression of a further point. For this to be the case, the majority of teaching will have been of a high quality and appraisal objectives will have been fully met.

5.9 The Pay Board will be advised by the Headteacher, as advised by the appraiser, in making all pay decisions. All recommendations (i.e. no movement, one point or two points) will be clearly attributable to the performance of the teacher in question. The Pay Board will be able to justify its decisions.

## **6 Movement to the upper pay range (UPR)**

### **Applications to be paid on the UPR**

6.1 To be eligible to apply to be paid on the UPR, teachers will normally have been at the upper point of the main pay range for a year and have a minimum of two years post ECT experience as a teacher. In exceptional cases, applications from

teachers with two years post ECT teaching experience only may be considered.

- 6.2 Teachers should be encouraged to apply for UPR. However, it is the responsibility of the teacher to decide whether or not they wish to apply to UPR. If a teacher wishes to pay progress they must discuss their intention to apply with their assessor at the start of the appraisal cycle.
- 6.3 If a teacher is simultaneously employed at another school they may submit separate applications if they wish to apply to be paid on the UPR in that school. This school will not be bound by any pay decision made by another school.
- 6.4 In order for the assessment to be robust and transparent, it will be an evidence based process only. Teachers may supply evidence to support their application including evidence from the previous two years. Those teachers who have been absent for an extended period (through sickness, maternity leave or disability), may cite written evidence from a three-year period before the date of application. This should be agreed with the Headteacher in advance.

## Process

- 6.5 One application may be submitted annually. The closing date for applications is normally 31 October each year; however, exceptions may be made in particular circumstances, for example, maternity leave or long term sickness.
- 6.6 The process for applications is as follows:
- the teacher must complete the school's application form (Appendix 4)
  - the teacher must submit the application form, copies of the two most recent appraisal documents and any other information they wish to include where gaps may exist.
  - if the assessor is not the Headteacher then the teacher will be notified who this is within five working days.
  - the application will be assessed by the assessor including a recommendation made
  - the application, evidence and assessment will be passed to the Headteacher for moderation purposes if the Headteacher is not the assessor
  - the Pay Board will make the final decision, advised by the Headteacher
  - the teacher will be notified of the outcome within five working days of the Pay Board having met. If unsuccessful, the teacher will receive written notification by 30 November.
  - Written notification will include feedback on why this was so and the areas for improvement if requested, oral feedback will be provided within 10 working days of notification.
  - successful candidates moving to the base of UPR will have their salaries backdated to 1 September.
  - unsuccessful applicants can appeal the decision in accordance with Appendix 2.

## Assessment

- 6.7 The appraisal is an evidence based process, therefore the teacher will be required to demonstrate that s/he has met the criteria set out in paragraph 15.2 of the School Teachers Pay and Conditions Document (STPCD) namely that:
- the teacher is highly competent in all elements of the relevant standards and
  - the teacher's achievements and contribution to the school are substantial and sustained
- 6.8 The definition of these terms in this school is as follows:

*'highly competent'* - the teacher has demonstrated depth and breadth of knowledge, skill and understanding of all of the Teachers' Standards in their particular role and the context within which they are working. The majority of pupils for which s/he is responsible are making good progress.

*‘substantial’* - the teacher’s achievements and contribution to the school are significant and in raising standards of teaching and learning in their own classroom. They are a role model for teaching and learning and take advantage of professional development opportunities using these highly effectively to improve pupils’ learning.

*‘sustained contribution’* - the teacher must have had two consecutive successful appraisal reports which demonstrate the above. They will have shown that their teaching expertise has grown over the relevant period and is of a consistently high quality.

## **7. Upper pay range pay determinations**

### **Pay determinations effective from 1 September 2021**

- 7.1 The Pay Board will determine whether there should be any movement on the UPR. In making such a determination, it will take into account:
- the criteria set out in paragraph 15.2 of the STPCD 2021 as defined above in *paragraphs 6.6-6.8*
  - the evidence base, which should show that the teacher has had two successful appraisals since movement to the UPR or to the second point of UPR and has made good progress towards objectives which will be set at a level appropriate to the expectations of a teacher on the UPR
- 7.2 The Pay Board will be advised by the Headteacher in making all pay decisions. Pay progression on the UPR will be clearly attributable to the performance of the individual teacher. The Pay Board will be able to objectively justify its decisions.
- 7.3 Where the evidence shows the teacher has continued to maintain the criteria set out above and has made good progress towards/met his/her objectives, the teacher will move to the next reference point of the UPR.
- 7.4 Any UPR teacher who appears unlikely to meet their objectives during the appraisal year, will be identified, given written feedback on the areas for improvement (e.g. written lesson observation) and provided with practical support to do so. If this intervention proves unsuccessful, taking all of the circumstances into account, the assessor may conclude that no pay progression is appropriate.
- 7.5 If the evidence shows that a UPR teacher’s performance has been exceptional, where the teacher has met or exceeded their objectives, the Management Committee will consider the use of its discretion to award enhanced pay progression of a further reference point.

## **8 Moderation**

- 8.1 The Headteacher (in conjunction with other members of the senior leadership team where relevant) will undertake moderation to ensure that objectives set across the school are consistent in terms of challenge for teachers, having regard to the career stage of individual teachers and to their job role and responsibilities. The Headteacher will be able to explain and evidence all pay recommendations made to the Pay Board.

## 9. Teaching and learning responsibility payments (TLRs)

- 9.1 The Management Committee will determine a school staffing structure which identifies specific posts that include a TLR payment.
- 9.2 A permanent TLR payment may be made 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. Unqualified teachers may not be awarded TLRs.
- 9.3 Before awarding a TLR1 or TLR2 the Management Committee must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that; it requires the teacher to lead, manage and develop a subject or curriculum or to lead and manage pupil development across the curriculum; has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils and involves leading, developing and enhancing the teaching practice of other staff. In addition, before awarding a TLR1 the Management Committee must be satisfied that the sustained additional responsibility includes line management responsibility for a significant number of people.
- 9.4 The Management Committee has determined the value of TLRs as follows:

TLR2 -	a*	£2,873
	b*	£4,782
	c*	£6,693 or £7,017
TLR1* -	a*	£8,291
	b*	£10,199
	c*	£12,112 or £14,030

*(\*as amended by the Department for Education's response to the 2021 School Teachers Review Body pay review process).*

- 9.5 The Pay Board may award a fixed-term TLR, known as a TLR3, to a classroom teacher for clearly time-limited school improvement projects, or one-off externally driven responsibilities. The annual value of an individual TLR3 must be no less than £572 and no greater than £2,833. For the academic year 2021-22 a TLR 3 payment may be awarded for responsibilities relating to the delivery of catch-up tutoring to support pupils in relation to lost learning as a result of the pandemic. The duration of the fixed-term must be established at the outset and payment should be made on a monthly basis for the duration of the fixed-term. Although a teacher cannot hold a TLR1 and a TLR2 concurrently, a teacher in receipt of either a TLR1 or a TLR2 may also hold a concurrent TLR3. TLR3s are not subject to safeguarding.

## 10 Special schools and classes

- 10.1 The Management Committee may award a SEN Allowance where a post meets the statutory criteria as set out in the staffing structure. The Management Committee has determined the value of this as follows:  
\* (no less than £2,270 and no more than £4,478)
- 10.2 This takes account of:
- whether any mandatory qualifications are required for the post
  - the qualifications or expertise of the teacher relevant to the post
  - the relative demands of the post



- 10.3 SEN Allowances will be paid to those teaching in:
- SEN posts that require a mandatory SEN qualification (all settings)
  - special schools and in designated special classes \*
- 10.4 SEN allowances will also be paid to those teaching in non-designated settings that are analogous to designated special classes or units, 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 judgment in the teaching of children with special educational needs; and
  - has a greater level of involvement in the teaching of children with special educational needs than is the normal requirement of teachers throughout the school or unit or service;

***These three criteria, in a mainstream school, are mutually exclusive.***

## **11 Part time teachers**

- 11 Part-time teachers work on a pro-rata basis which is defined by the length of the school day, directed contact time and hours directed for non-class contact, excluding registration, assembly and break time supervision.

## **12 Unqualified teachers**

- 12.1 The Management Committee has established the following pay range for unqualified teachers\*

1	£18,419
2	£20,532
3	£22,644
4	£24,507
5	£26,622
6	£28,735

(\* as amended by the Department for Education's response to the 2021 School Teachers Review Body pay review process)

## **Maintained schools**

- 12.2 Governing Bodies of maintained schools can employ individuals and pay them on the unqualified teacher's pay range in the following circumstances;
- a) as a trainee working towards gaining qualified teacher status.
  - b) as an instructor in any art or skill, or subject or group of subjects, the teaching of which requires special qualifications or experience
  - c) as a person undertaking training for the purpose of an employment-based initial teacher training scheme for example schools direct, until such time as they successfully complete or stop their training
  - d) they are an Overseas Trained Teacher
- 12.3 With effect from 1 September 2012, unqualified teachers/instructors may be recruited and contracted on an indefinite basis. The Management Committee has determined that instructors may be recruited into posts which will 'give instruction in any art or skill or any subject or group of subjects (including any form of vocational training) where special qualifications or experience or both are required' (The Education (Specified Work and Registration) England) Regulations 2003. In this school the Management

Committee have determined that the school may recruit Instructors only for the delivery of instruction as determined by the Headteacher.

12.4 The Pay Board will pay any unqualified teacher in accordance with paragraph 17 of the STPCD.

### **Pay determinations from 1 September 2021**

12.6 In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards/met their objectives and have evidence that there has been

- an 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 school
- an increasing impact on the effectiveness of staff and colleagues

12.7 The Pay Board will be advised by the Headteacher in making all such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Pay Board will be able to objectively justify its decisions.

## **13 Leading practitioners**

13.1 The Management Committee will determine whether to include a leading practitioner role(s) in the staffing structure and the role to be performed. Additional duties will be set out in the job description of the leading practitioner and will include:

- a leadership role in developing, implementing and evaluating policies and practices in the school that contribute to school improvement
- the improvement of teaching within school which impacts significantly on pupil progress
- improving the effectiveness of staff and colleagues.

### **Pay on appointment**

13.2 The Pay Board will determine a pay range for each leading practitioner post in accordance with paragraph 16 of the STPCD. The leading practitioner pay range is set out at Appendix 6; a five-point range should be determined. The Pay Board will do this by reference to the weight of the responsibilities of the post and bear in mind the need to ensure pay equality and fair pay relativities between posts of different levels of responsibility.

### **Pay determinations with effect from 1 September 2021**

13.3 The Headteacher will agree appraisal objectives for the leading practitioner.

13.4 The Pay Board will have regard to the results of the leading practitioner's appraisal.

13.5 The Pay Board will take account of other evidence indicating that the leading practitioner:

- has made good progress towards their objectives
- is an exemplar of teaching skills, which should impact significantly on pupil progress within school and within the wider school community (if relevant)
- has made a substantial impact on the effectiveness of staff and colleagues, including any specific elements of practice that have been highlighted as in need of improvement

- is highly competent in all aspects of the Teachers' Standards
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to school improvement

'Highly competent' and 'substantial' are as defined above in relation to applications for UPR.

The Pay Board will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The Pay Board will be able objectively to justify its decision.

## **14 Headteacher, deputy and assistant Headteacher salaries and pay progression**

14.1 The relevant body must assign its school to a Headteacher group in accordance with paragraphs 4, 5, 6, 7, 8 and 9 of the STPCD.

14.2 The current assigned Headteacher group and Headteacher range for the school has been determined as:

- Group 5
- Headteacher Range L25 – L31
- The leadership pay range is attached at Appendix 7.

### **Pay on appointment after 1<sup>st</sup> September 2021**

14.3 At the time of appointing a new Headteacher, the Management Committee will define the role and determine the Headteacher group size, then set the Headteacher range which will determine the starting salary. A five to seven-point range is advised. All decisions and reasons for these determinations must be well documented.

14.4 It is expected that the relevant body will normally conclude that the Headteacher group as determined by the total unit score fully captures the complexity of the role and therefore that the individual pay range will be within the relevant pay range at paragraph 5.3 of the STPCD.

14.5 The relevant body may take account of additional factors that suggest the Headteacher range should be higher. Factors may include:

- the context and challenge arising from pupil needs
- a high degree of complexity and challenge (multiple schools, dispersed sites and not already reflected in the unit score)
- additional accountability not reflected in the unit score, for example leading a teaching school alliance
- factors that impede the school's ability to attract a field of appropriately qualified and experienced leadership candidates

In taking into account any of these factors the relevant body must refer to the departmental advice provided by the DfE.

14.6 The relevant body must ensure that the maximum of the Headteacher range, including factors and any other temporary payments or allowances, does not, except in exceptional circumstances, exceed the Headteacher group range by more than 25%.

- 14.7 If the relevant body considers that exceptional circumstances apply, HR advice must be sought and should the advice suggest additional payment is appropriate a business case must be made and agreed by the full Governing Body. For maintained schools, where Luton Council is the employer, the external independent advice must be provided by Luton HR.

### **Reviewing the individual pay range for an existing Headteacher where responsibilities have significantly changed**

- 14.8 In reviewing an existing Headteacher's range (not progression) the relevant body should consider paragraphs 14.1 to 14.7 above.

### **Temporary payments to Headteachers**

- 14.9 The relevant body may determine that additional payments be made to a Headteacher for clearly temporary responsibilities, for example where the Headteacher is temporarily accountable for more than one school (which can be up to two years in duration and for which the Headteacher would be issued with a fixed term variation to contract).
- 14.10 The total sum of the temporary payment must not exceed 25% of the annual salary otherwise payable and the total sum of the salary and any other payments made to a Headteacher must not exceed 25% above the maximum of the Headteacher group except where exceptional circumstances have been determined in accordance with paragraphs 14.6 and 14.7 above.
- 14.11 If the Headteacher is permanently accountable and responsible for more than one school, the Management Committee will determine a Headteacher group based on the total unit score of both schools, then set the Headteacher range and then determine the starting salary.

### **Pay on appointment for deputy Headteachers and assistant Headteachers**

- 14.12 Deputy Headteachers and assistant Headteachers will be appointed to five-point individual pay ranges on the leadership spine which ensure that there is a gap between the salary of the highest paid classroom teacher and the bottom of the school's Leadership Pay Range. The individual pay range for a deputy Headteacher or an assistant Headteacher should only overlap the Headteacher range in exceptional circumstances and should not exceed the maximum of the Headteacher group for the school.
- 14.13 The individual pay ranges for the deputy Headteacher and assistant Headteachers are as follows:
- Deputy Headteachers – L14 - 18

### **Pay progression for Headteachers, deputy Headteachers and assistant Headteachers**

- 14.14 Headteachers and other teachers on the leadership spine will be appraised in accordance with the school's Appraisal Policy. The decision whether or not to award pay progression must be related to the individual's performance and be within the agreed individual pay range set out at 14.2 and 14.13.
- 14.15 The pay of teachers on the leadership spine cannot be increased unless their performance is reviewed and it is determined that there has been a sustained high quality of performance taking account of the appraisal objectives agreed or set at the beginning of the school year.
- 14.16 The decision about whether or not to award a pay progression point must be related to the individual's

performance against objectives relating to school leadership and management and pupil progress. If the evidence shows that a leader has performed exceptionally well demonstrating sustained high quality of performance the Pay Board will consider the use of its discretion to award enhanced pay progression of two performance points. A teacher on the leadership spine cannot be awarded more than two performance points in the course of a single pay review.

## **15 Recruitment and retention incentives**

15.1 The Management Committee may award incentives to meet recruitment and retention needs. In making a decision the Management Committee will have regard to whole school considerations. The Management Committee will specify the reason for an incentive, its value, its duration (making clear a review date after which it may be withdrawn), any other conditions attached and method of payment in writing to the teacher on allocation of the incentive. In considering the award of incentives for recruitment and retention, the Management Committee will have regard to the supply of suitably qualified and experienced teachers and will establish their own criteria for the fair allocation of such awards to new and serving teachers to the school, which are itemised below:

- \*(e.g. shortage subjects, based on recruitment data collected at the school
- to support a strategy to enhance the Leadership Group
- as part of a retention strategy defined in the School Improvement Plan
- where there is data to evidence the school has been unable to recruit, linked to market forces)

15.2 The Management Committee has determined to use the following incentives for recruitment and retention purposes:

\*Recruitment Incentive of up to £2,310 to be paid with salary in monthly instalments subject to satisfactory performance

\*Retention Incentive up to £2,310 to be paid with salary in monthly instalments subject to satisfactory performance

15.3 The Management Committee will conduct a regular formal review of all recruitment and retention payments. In this school the initial review will be carried out in the spring term in line with the budget forecasting for the following financial year and again in the following autumn term in line with the performance management outcomes.

15.4 Headteachers, deputy Headteachers and assistant Headteachers may not be awarded recruitment and retention benefits other than as reimbursement of reasonably incurred housing or relocation costs. All other considerations must be taken into account in determining pay on appointment as per paragraph 14.

15.5 Where the relevant body currently pay a recruitment or retention incentive, to the Headteacher, deputy Headteacher or assistant Headteacher under a previous document, it may continue to make that payment at its existing value until such time as the pay range is changed.

## **16 Additional payments**

16.1 The Management Committee has agreed to the additional payment of teachers (including the leadership group and leading practitioner) in respect of:

- continuing professional development undertaken outside the school day

- activities relating to the provision of initial teacher training as part of the ordinary conduct of the school
- participation in out-of-school learning activity agreed between the teacher and Headteacher
- additional responsibilities and activities due to, or in respect of, the provision of services relating to the raising of educational standards in one or more additional schools

16.2 All must be agreed in advance with the Headteacher.

16.3 The additional payments will be paid at the teacher's usual hourly rate.

16.4 Additional payments may be made to those paid on the leadership range at the discretion of the Management Committee.

## **17 Acting allowances**

17.1 In the event of temporary absence of the Headteacher, deputy Headteacher or an assistant Headteacher the Management Committee will consider within one month of the commencement of the absence, whether another member of the teaching staff should be asked to act in the capacity of the absent incumbent. Where full duties are being undertaken by the teacher who is acting up, the Management Committee will normally agree to an acting up allowance being paid. This will be based upon the Headteacher group size for the school or five to seven-point scale of the substantive postholder as appropriate, but may not be paid at the same point. In the temporary absence of a teacher with management allowances the Management Committee will consider acting up arrangements by means of a fair and equitable selection process where applicable.

## **18 Centrally employed teachers**

18.1 This policy applies to Luton Council centrally employed teachers **only** for the purposes of salary determination on appointment and pay progression.

18.2 The council is the relevant body and assessment is delegated to the service manager responsible for music.

## **19 Section 2 – Support staff**

### **Annual pay awards and increments**

19.1 The Management Committee have agreed to abide by the local agreements of the council and, therefore, any national pay awards which may take effect for Green Book employees, after annual review, and also to award annual increments, where appropriate, on the anniversary of appointment.

## **20 Assessing remuneration**

20.1 The Management Committee will ensure that a job description is prepared for each post. Luton HR Traded Services provide evaluated model Job Descriptions for roles in schools. Where a bespoke job description is required it must follow the agreed model Luton format. All job descriptions are evaluated using the HAY scheme. For more information regarding job descriptions please refer the safer

recruitment and selection policy for schools and the job description pro forma.

- 20.2 In cases where there is an element of doubt as to the appropriate grade for the post, the Management Committee will consult Luton HR Traded services/Luton Job Evaluation team and request the post be evaluated allowing at least four weeks for this to take place. All posts must be evaluated using the council's scheme. The Management Committee recognises that failure to do so could make them liable in an equal pay claim.
- 20.3 In normal circumstances the starting pay for Green Book employees will be at the minimum point of the salary scale for the post.
- 20.4 The Management Committee reserve the right to exercise discretion in respect of those employees where, for example, an experienced member of staff has had a small break in service (usually less than 12 months) and is seeking to return to work.
- 20.5 The Management Committee will attempt to ensure that employees supervising others are on a higher scale point than those they supervise.

## **21 Regrading**

- 21.1 In those circumstances, usually following appraisal, where it is necessary to consider the possible regrading of a post, the job description and personnel specification will be revised. A regrading, following job evaluation, will take into account the changing nature of the responsibilities and accountabilities of the post; it will not be considered as a measure to address an employee attaining the top of the grade. Once the revised job description has been agreed with the postholder, then the Management Committee will arrange for the council to be consulted in order that the job evaluation process can be undertaken. Should an employee request this, and be subsequently dissatisfied with the outcome, the school's pay appeal mechanism, Appendix 2 will apply.

## **22 Career progression**

- 22.1 The Management Committee will use the appraisal process to inform career progression from TA1 to TA2 based on a recommendation by the Headteacher and where progression would meet the business needs of the school and the school has the required budget.
- 22.2 All other opportunities for progression will be by advertisement and application to vacancies in the staffing structure established by the Management Committee.

## **23 Hours of work**

- 23.1 The Management Committee will pay employees who, at the request of the school, are required to work beyond their contracted working hours, at the appropriate rate, in accordance with the agreements of the council/trust. Additional hours will not exceed the provision of the Working Time Directive. Employees working term time only, unless over-ridden by national terms and conditions, will be paid pro rata for hours worked and holiday entitlement.
- 23.2 The Management Committee will make every effort to ensure that contracted hours meet the needs of the school, including training days and time for planning/meetings if required.

## 24 Acting up/honorariums

24.1 Acting up payments may be made to employees who temporarily undertake additional duties and responsibilities. This payment is payable only where an employee takes on all of the duties and responsibilities of an existing higher graded post for a continuous period of at least four weeks. Acting up is a temporary arrangement that should not be for longer than one academic year.

This may occur as a result of:

- covering long-term sickness, maternity leave, or where there is a delay in recruiting to a post
- planning for workplace closures and other organisational change, where it helps to reduce redundancies/at risk employees

24.2 Where an individual undertakes the full duties and responsibilities of a higher graded post they should be paid at the base spinal column point of the higher grade (unless the post grades overlap).

24.3 Honoraria payments recognise the efforts of an employee who has undertaken duties that are not normally expected of them such as:

- working on a specific project
- undertaking additional duties in unplanned circumstances

Honoraria payments **should be agreed in advance** of the employee undertaking the additional duties. Retrospective payments will only be made in exceptional circumstances. The business case for the honorarium payment must include specific details of how the payment was calculated. This must link to an evaluated post. The form for completing honoraria payments/acting up payments can be found in Appendix 1.

24.4 A business case for the honorarium payment must include specific details of how the payment was calculated.

## 25 Review of the policy

25.1 The Management Committee will review this policy on an annual basis or on any other occasion when required to do so.

25.2 In reviewing this policy the Management Committee will expect an annual report on the operation of performance pay progression mechanisms set out in this policy. This will include a statistical breakdown of the number of employees, by pay range, that have had pay progression during the appraisal cycle of one or two points and the number who had no pay progression (where progression was a possibility). This information will include analysis by equality characteristics where this information is available (model report format Appendix 5)

25.3 The policy will be operated on the basis of a whole school approach in order that the pay of no one employee is considered in isolation.

25.4 The Management Committee will give due consideration to the issue of salary differentials and similar pay for posts carrying similar responsibilities.



## Appendix 1 - Acting Up and Honorarium Payments

Name of Employee	
Job Title	
School	
<b>ABOUT THE PAYMENT</b>	
Employee undertaking additional duties for at least four weeks	Yes / No
<b>Support Staff:</b> Type of additional payment ( <i>please indicate</i> )	<input type="checkbox"/> acting p payment <input type="checkbox"/> honorarium payment
<b>Teachers:</b>	<input type="checkbox"/> acting allowance
Business case for additional payment  (Please provide in detail the reason for the payment, and how the payment meets the requirements of the pay policy.)	
Has the employee received an acting up allowance or Honorarium within the past three years?	YES/NO if yes, what for?
Current grade and scp	
Higher Grade (base scp)	
% of higher graded duties being undertaken	
Start date of additional duties	
End date of additional duties	
<b>AUTHORISATION</b>	
Date agreed by the Management Committee	
Signed	
Name	
<b>HR USE</b>	
Signed	
Name	

## **Appendix 2**

### **Procedure at hearings or appeals at hearings or appeals in respect of matters relating to pay**

1. Where a school employee wishes to challenge the decision of a committee on matters in respect of pay, or pay progression, the appeal procedure below will be followed. It is important, however, that where an appeal arises, the Members involved at each stage in the procedure should not have been involved at an earlier stage. Since the number of Members available is limited, it is advised that no more than three Members are involved at any stage. In such circumstances, Members will wish to give careful consideration to the procedure to be adopted at appeal hearings and the rights of members of staff to be accompanied by a colleague or union representative.
2. Where an employee wishes to challenge a decision of the Members' Pay Board, or an employee is concerned about the recommendation as a result of their appraisal, the matter should be raised in the first instance with the Headteacher. The employee should set out their complaint in writing to the Headteacher, who will then arrange to meet with the employee to discuss the issues. Such a request for a meeting should be granted within five working days.
3. Where the concern is solely in relation to the decision made by the Pay Board, the Headteacher may wish to consult and invite the Chair of the Pay Board to the meeting. Should this not resolve the employee's complaint, the employee then has the right to appeal to the Appeal Committee as below. This appeal should be registered within 10 working days of the decision of the Headteacher. It is advisable to have an HR representative at the meeting.
4. Where the concern is in relation to the recommendation of the Headteacher or appraiser then a committee, of no more than three Members should be convened. The Headteacher and/or appraiser should be in attendance at the meeting. Should this not resolve the employee's complaint, the employee then has the right to appeal to the Appeal Committee as below. This appeal should be registered within 10 working days of the decision of the Headteacher.

It is advisable to have an HR representative at the meeting.

### **Appeal hearing process**

5. A full written note should be made of the hearing and the Appeal Committee's decision.
6. A panel of Members (the Appeal Committee) shall be constituted for the purpose of hearing appeals relating to the pay of members of staff. It shall exclude members of the Management Committee's Pay Board. For Community Schools, a representative from the Director of Children, Families & Education Services must be in attendance.
7. The employee (or his or her representative) shall make an opening address explaining his or her case, and may then be questioned by the other parties involved (or their representatives) or by the Appeal Committee.
8. The employee (or his or her representative) may call on any witnesses that are relevant to the pay appeal. These witnesses who may be questioned by the other parties involved (or their representatives) or by the Appeal Committee. The witnesses shall withdraw once they have given their evidence.
9. The Headteacher will then have the right to make an opening address covering the original recommendation and decision, the outcome from the meeting to discuss the employees concern and any new evidence submitted.

10. The Headteacher (or his or her representative) shall call on any witnesses that are relevant to the pay appeal. These witnesses may be questioned by the other parties involved (or their representatives) or by the Appeal Committee. The witnesses shall withdraw once they have given their evidence.

11. The Chair of the Pay Board (or his or her representative) shall then have the right to make an opening address, and may then be questioned by the other parties involved (or their representatives) or by the Appeal Committee.

12. The Pay Board (or their representative) may call any witnesses who may be questioned by the member of staff (or his or her representative) or by the Appeal Committee Panel. The witnesses shall withdraw once they have given their evidence.

13. Each party (or their representative) shall then have an opportunity to sum up his or her case, the member of staff making the appeal to do so last.

14. The parties involved, their representatives and any witnesses shall then withdraw.

15. The Appeal Committee, together with the Director of Children, Families & Education Services or his or her representative who may be present for the purposes of giving advice only, shall deliberate in private, only recalling the parties involved (and their representatives) to clear points of uncertainty on evidence already given. If recall is necessary, all parties must return even if only one party is concerned with the point giving rise to doubt.

16. The Appeal Committee shall announce the decision to the parties involved personally at the end of the hearing where possible and subsequently confirm it in writing. The decision of the Appeal Committee is final and binding on all parties, and shall be reported to the next full meeting of the Management Committee.

#### **Documentation to be included in the pack for any Pay Appeal**

Previous two years' appraisal documents and recommendations regarding pay

The UPR application form (if relevant)

Any evidence submitted along with the UPR application form

A copy of the Pay Policy

A copy of the Appraisal Procedure

A copy of the decision recorded by the Pay Board

A copy of the current and revised job description (if relevant)

Copies of any emails or letters sent to the employee advising of the original decision

A copy of the appeal letter from the employee

A copy of the appeal invite letter sent to the employee

The above should be provided to all parties five working days prior to any appeal hearing. Any additional relevant information that the employee wishes to submit must be supplied to the school no later than three working days prior to any appeal hearing

## **Appendix 3**

### **Pay Board terms of reference**

The Pay Board will comprise three Members; staff Members may not join the Pay Board.

### **Establishment of the Policy**

The Pay Board is responsible for:

- Establishing the policy, in consultation with the Headteacher, and submitting it to the Management Committee for approval

The Management Committee is responsible for formal approval of the Policy

### **Monitoring and review**

The Pay Board is responsible for:

- reviewing the policy annually and submitting it to the Management Committee for approval

The Management Committee is responsible for:

- considering an annual report on decisions taken in accordance with the terms of the policy

### **Application of the policy**

The Headteacher is responsible for:

- Ensuring that pay recommendations for the deputy Headteacher and assistant Headteachers, classroom teachers (including applications to progress to UPR) and support staff are made and submitted to the Pay Board in accordance with the terms of the policy
- Ensuring that the grades for support staff are appropriate to the expectations of the job role, including by having posts re-evaluated using the relevant job evaluation scheme
- Advising the Pay Board on its decisions and
- Ensuring that staff are informed of the outcome of decisions of the Pay Board and their right of appeal

The Pay Board is responsible for:

- taking decisions regarding the pay of the deputy Headteacher and assistant Headteachers, classroom teachers and support staff following consideration of the recommendations of the Headteacher
- taking decisions regarding the pay of the Headteacher following consideration of the recommendations of the Members responsible for the Headteacher's appraisal
- submitting reports of these decisions to the Management Committee and
- ensuring that the Headteacher is informed of the decision of the Pay Board and of the right of appeal.

The Appeals Committee of the Management Committee is responsible for:

- taking decisions on appeals against decisions of the Pay Board in accordance with the terms of the appeal procedure

## Appendix 4

# UPR Application Form

### Teacher's details

Name \_\_\_\_\_

Post \_\_\_\_\_

## Appraisal details

Dates of relevant appraisals (last two years)

1. \_\_\_\_\_

2. \_\_\_\_\_

Completed appraisal reports must be attached.

Please attach any other evidence that you wish to be taken into account in making your application including evidence relating to how you meet Teachers' Standards.

Signed \_\_\_\_\_

Print name\_\_\_\_\_

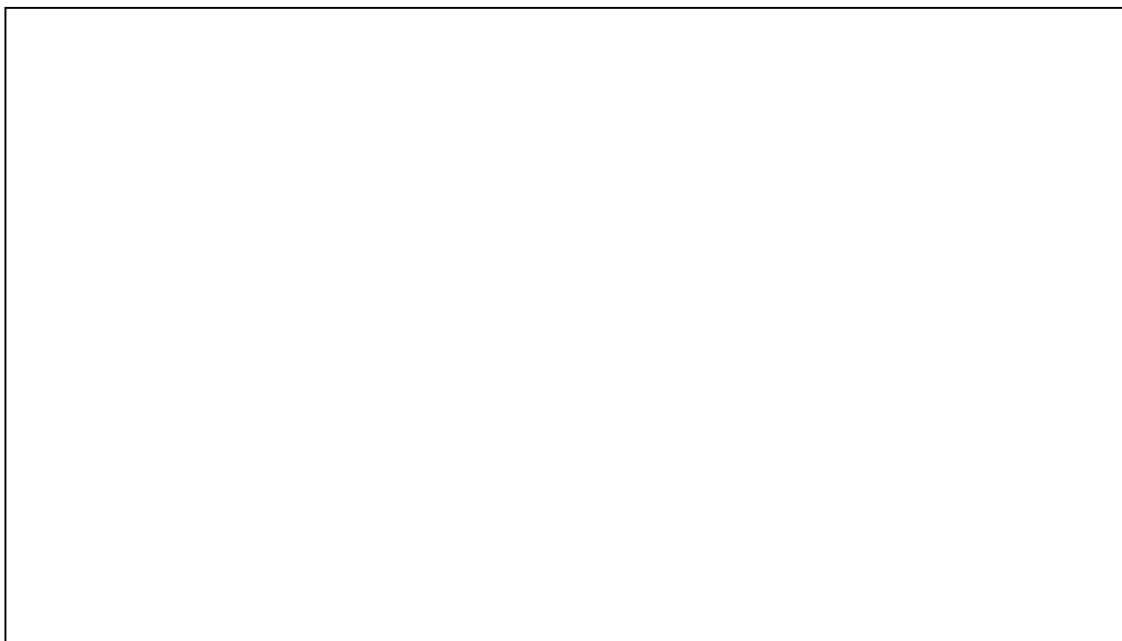
Dated \_\_\_\_\_

For the

### Overall judgement and pay recommendation

[illegible]

Record any criteria for progression as set out in the Pay Policy which have not been evidenced



Record any further areas for professional development



Signature\_\_\_\_\_

Print name\_\_\_\_\_

Date\_\_\_\_\_

This should be passed back to the teacher where criteria for progression have not yet been met.

## Appendix 5

### Model Report to Members – Performance Pay Progression

Number of teachers employed by the school \_\_\_\_\_

Of the number of unqualified teachers that could progress:

\_\_\_\_\_ did not progress

\_\_\_\_\_ progressed one point

\_\_\_\_\_ progressed two points

Of the number of main pay range teachers that could progress:

\_\_\_\_\_ did not progress

\_\_\_\_\_ progressed one point

\_\_\_\_\_ progressed two points

Of the number of main pay range teachers that applied to progress to the UPR:

\_\_\_\_\_ did not progress

\_\_\_\_\_ progressed

Of the number of UPR teachers that could progress:

\_\_\_\_\_ did not progress

\_\_\_\_\_ progressed one point

\_\_\_\_\_ progressed two points

<b>Number of teachers that:</b>	<b>Male</b>	<b>Female</b>	<b>White British</b>	<b>All ethnic minority groups</b>	<b>Ethnicity not known</b>
did not progress					
progressed one point					
progressed two points					
progressed from MPR to UPR					

**Appendix 6**  
**Leading practitioner pay range**

**Discretionary reference points 2021/2022**

	<b><i>2020/2021</i></b>	<b><i>2021/2022</i></b>
1	42,402	42,402
2	43,465	43,465
3	44,550	44,550
4	45,658	45,658
5	46,796	46,796
6	47,969	47,969
7	49,261	49,261
8	50,397	50,397
9	51,656	51,656
10	52,983	52,983
11	54,357	54,357
12	55,609	55,609
13	57,000	57,000
14	58,421	58,421
15	59,875	59,875
16	61,476	61,476
17	62,878	62,878
18	64,461	64,461



## Appendix 7

### Leadership group pay range

Discretionary Reference Points 2021/2022 ranges

Points 18\*, 21\*, 24\*, 27\*, 31\*, 35\*, 39\* and 43 on the Leadership Pay Range are the salary figures for Headteachers at, or moving to, the top of the school group ranges only. These different figures are a legacy of the 2015 STPCD which provided for no uplift to the maxima of the eight head teacher group ranges.

	<u>2020/2021</u>	<u>2021/2022</u>
1	42,195	42,195
2	43,251	43,251
3	44,331	44,331
4	45,434	45,434
5	46,566	46,566
6	47,735	47,735
7	49,019	49,019
8	50,151	50,151
9	51,402	51,402
10	52,723	52,723
11	54,091	54,091
12	55,338	55,338
13	56,721	56,721
14	58,135	58,135
15	59,581	59,581
16	61,166	61,166
17	62,570	62,570
18*	63,508	63,508
18	64,143	64,143
19	65,735	65,735
20	67,364	67,364
21*	68,347	68,347
21	69,031	69,031
22	70,745	70,745
23	72,497	72,497
24*	73,559	73,559
24	74,295	74,295
25	76,141	76,141
26	78,025	78,025
27*	79,167	79,167
27	79,958	79,958
28	81,942	81,942
29	83,971	83,971
30	86,061	86,061
31*	87,313	87,313

31	88,187	88,187
32	90,379	90,379
33	92,624	92,624
34	94,914	94,914
35*	96,310	96,310
35	97,273	97,273
36	99,681	99,681
37	102,159	102,159
38	104,687	104,687
39*	106,176	106,176
39	107,239	107,239
40	109,914	109,914
41	112,660	112,660
42	115,483	115,483
43	117,197	117,197